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THE TIMES

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TUESDAY MARCH 7 1995

Hughes quits after affair

Tories hit by minister's resignation

By Philip Webster and Nigel Williamson

JOHN MAJOR lost another senior Government member yesterday when Robert Hughes, the Public Service and Science Minister, admitted an extra-marital affair and resigned to try to save his marriage.

In the latest in a chapter of scandals that has dogged the Government since the 1992 election, Mr Hughes left office saying he had put "unacceptable pressure" on his marriage because of the affair.

Appearing briefly with his wife at the Conservative Association offices in his constituency of Harrow West, he said: "I cannot carry out my ministerial responsibilities at the same time as putting my marriage together."

The Prime Minister, who was told on Friday that Mr Hughes intended to resign, swiftly appointed John Horgan, a former Labour Minister who defected to the SDP before joining the Tories, to replace him.

Mr Hughes's departure came as a shock even to his closest colleagues. It is understood that he told the Conservative Whips he was resigning and that no pressure was put on him to go. Downing Street announced yesterday that the resignation was for "family reasons".

He appears to have agreed with his second wife, Sandra, that he should leave office to concentrate on their marriage after confessing to her that he had had an affair. They have three young daughters. Speaking to reporters in Harrow yesterday, he said the affair had ended more than six



Horgan: greeted by shout of "dirty rat"

months ago. Mr Hughes, 43, is the latest in a series of junior ministers to step down from the Government.

Last month, Charles Wardle left in protest at Government immigration policy and Allan Stewart, the Scottish Office Minister, went after threatening anti-motorway campaigners with a pickaxe. But since the 1992 election Mr Major has lost several other ministers, including David Mellor, Tim Yeo and the Earl of Caithness, because of troubles in their private lives.

Mr Hughes, who is popular with his colleagues, is firmly on the left of his party. He was elected in 1987 and became Parliamentary Private Secretary to Sir Edward Heath, the former Prime Minister, in 1989. He worked in Mr Major's election campaign team and served a two-year stint in the Whips' office before his appointment last summer as the junior citizen's charter minister and number two to David Hunt, Senior Conser-

vative backbenchers were adamant that an affair in itself would not have meant Mr Hughes being required by the Government to resign. Friends felt he had sacrificed his career to save his marriage.

Mr Hughes, who appeared sombre and strained, said he apologised for what had happened but now wanted to put his family first. Asked why he was resigning at this juncture if the affair had ended last year, he said: "The pressure has become great and I felt now is the time to go."

Mrs Hughes, who looked tired but calmly determined, told reporters that she still loved her husband and would stand by him. The detached family home in Southall, west London, later stood empty, with curtains drawn and uncollected post on the doormat.

Mrs Hughes admitted she was "very distressed". She added: "Essentially we are a very happy and united family and we intend to remain that way." Mr Hughes made it clear he had no intention of resigning as an MP. Joyce Nickolay, the local party chairwoman, praised him for being "man enough" to admit what he had done.

Mr Horgan, who is 36 today, made a swift debut in his new job, as yesterday was the monthly Commons question time slot for his department. He was not allowed to forget his past. As he rose to answer his first question Dennis Skinner, Labour MP for Bolsover, shouted: "dirty double rat".

Man in the news, page 8



Robert Hughes and his wife, Sandra, yesterday: "I cannot carry out my responsibilities at the same time as putting my marriage together"

Court backs rescue deal for Barings

By Robert Miller

THE High Court yesterday gave the green light for ING, the Dutch bank, to rescue Barings, the merchant bank that collapsed just over a week ago owing £860 million, after the majority of directors said they would forgo their bonuses. The deal was almost

scuppered by a protest from bondholders who stand to lose almost £100 million. To ensure that the deal was approved, six directors agreed not to participate in the bonus scheme for which £105 million had been set aside. Nor will there be a bonus for Nick Leeson, the man held responsible for the debacle and

currently in custody in Frankfurt. More junior staff should receive their bonuses soon.

The clearance came just two hours before an 8pm deadline when ING (Internationale Nederlanden Groep) and the administrators had to sign a final agreement and inform Far East markets that ING was in control.

The ruling was held up after bondholders with about £100 million in subordinated loan notes protested at the terms of the deal. They are to receive an up-front payment of just £5 million. A fund manager said: "It's a horse trade to stop us putting the company into liquidation." Sir Richard Scott, the Vice-

Chancellor, approved the takeover and discharged administration orders that had put various Barings companies in the hands of Ernst & Young, the accountant. The parent company, Barings plc, however, remains in the hands of the administrators.

The judge was told that the Bank of England approved the package as a "generally fair settlement in the best interests of depositors" and would authorise Barings group companies to continue trading under new ownership.

Referring to the deal stuck with bondholders, Sir Richard said: "The arrangement has been negotiated and

brought to court as a matter of great urgency. I am told that, unless it can become final with ING in the saddle and in a position to carry on the respective businesses by 8pm in time for the opening of business in Tokyo at midnight London time, there will be very damaging repercussions on the markets in the Far East, which might produce a domino effect of very serious proportions, not only for Barings itself but with possible international ramifications."

In those circumstances, it was a "relatively easy" decision to approve the rescue agreement. "I have no doubt that as a matter of discretion I

ought to grant approval."

He said that he sympathised with bond-holder clients of Law Debenture Trust who ranked as subordinated creditors and might be less well covered by the rescue deal than they would be under a liquidation. But in the absence of evidence indicating positively that they would be adversely affected, "I don't think the possibility is sufficient to deflect me from approving the arrangement given the weight of the other reasons for approval".

Forgery accusation, page 2
Photograph, page 23
Pennington, page 25
Graham Scourfield, page 27

Gas chiefs received extra share options, Labour says

By Jill Sherman, Political Correspondent

THE controversy over executive pay heightened last night as Labour claimed that British Gas had awarded one million share options to six directors late last year, without informing shareholders or the public. The options, given months after the company had decided to wind up the scheme, included 268,000 to Cedric Brown,

the chief executive of British Gas, who appears before the House of Commons employment select committee today.

Mr Brown is already embroiled in a row over his £475,000 salary, and another share-based bonus worth £593,000. Last night's disclosure of another award of 268,000 share options, already worth a paper profit of more than £28,000, could boost his emoluments substantially.

Labour claims that the chief executive stands to make a profit of £240,000 from his 268,000 share options if the shares performed as well as they have done in the last three years.

British Gas last night dismissed as "nonsense" Labour's charge that the public had not been informed. "Executive share options were awarded to six executive directors of British Gas in October/November. Under the rules of the stock exchange the grants were immediately

notified to the exchange and were made public."

Last night Gordon Brown, the Shadow Chancellor, was incensed over the extra awards. He urged Mr Brown to tell the committee today "what aspects of his performance justifies an increase in the number of share options awarded to him from 23,000 in 1993 to 268,000 in 1994".



Cedric Brown: already involved in salary row

Union's Clause 4 blow for Blair

Tony Blair's attempt to drop Clause Four from the Labour Party constitution received a severe setback when the Transport and General Workers' Union, the biggest union affiliated to the party, told him that the nationalisation clause should be kept in its existing form.

The union is certain to oppose him at the special conference on April 29, where it will account for 15 per cent of the vote. Page 2

Market turmoil

European foreign exchange and share markets were in turmoil yesterday after the devaluation of the peseta and the escudo. The pound, the French franc and the escudo sank to new record lows against the mark. Page 23

Mission anger

France yesterday opened a diplomatic mission to Iraq, to the annoyance of the Western allies. The United States has been trying to gain support for its continuing tough line on sanctions. Page 13

Legal aid scheme time 'running out'

By Frances Gibb, Legal Correspondent

THE Lord Chancellor is questioning "the whole future" of the criminal legal aid scheme after his department's repeated failure to ensure adequate controls of the system which costs £432 million a year, MPs were told last night.

After tough questioning from angry MPs, Sir Thomas Legg, permanent secretary in the Lord Chancellor's Department, admitted that the time had almost run out for the scheme in its present form.

Instead, he said, responsibility for granting criminal legal aid might have to be removed from the courts altogether and different controls introduced, such as placing it under the Legal Aid Board which handles civil legal aid.

As well as millions of pounds being granted in criminal legal aid by courts without proper evidence of an accused's income and means, MPs heard last night that more than 90 solicitors' firms were still under investigation for alleged abuse of the legal

aid advice (green form) scheme.

At present 300 law firms are currently the subject of preliminary enquiries by the board, because of suspected legal aid irregularities, bringing to 2,500 the total of such investigations since 1992.

Sir Thomas told the Public Accounts Committee of MPs: "The Lord Chancellor regards the whole future of the scheme in its present form as to some extent in question." But he added: "I do not think we have reached that point yet."

MPs repeatedly expressed concern over the recent report on the legal aid fund from Sir John Bourn, the Comptroller and Auditor-General, who refused for the fourth successive year to "qualify" or approve the legal aid account.

The report, published two weeks ago, found that in more than a third of cases where criminal legal aid was granted, applicants did not provide documentary evidence as required under the regulations.

Accountants

Chartered Association of Certified Accountants' December 1994 exam results will be published tomorrow.

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School sets up 6in no-go zone to stop kissing

By Gillian Bowditch, Scotland Correspondent

PUPILS at a Scottish boarding school have been warned that any of opposite sex caught within six inches of each other will be disciplined.

John Robertson, rector (headmaster) of Dollar Academy, near Perth, has told pupils at the £8,300-a-year school that he is introducing the "six-inch rule" to stop them kissing and cuddling in the street. Such behaviour was not the image he wanted for the school. Teachers and pupils have been instructed to keep an eye out for pupils

flouting the ruling, which does not apply to pupils in the academy's junior school. Members of the public are also being encouraged to report to the rector if they catch boys and girls from the school kissing in the street.

Approximately 1,100 pupils attend the academy, whose motto is *Juvenis Vero Fortuna* (I carry the fortunes of youth). Roughly half are boarders living in six single-sex dormitories.

Mr Robertson's tough stance has surprised parents. He was promoted from deputy rector last year and came to his new job with a reputation for

being liberal. A pupil who did not wish to be named said: "We were at the assembly when he stood up and said he was introducing this '6 in rule' because spring is in the air. He then went on to tell us what it meant."

"Once we got outside, we fell about laughing. We just couldn't believe it. It's a bit of a drastic measure to take - it's not as if we're having red-hot sex sessions in the middle of the street."

David Ward, a member of Dollar Academy Parents' Association, said: "I heard about it from my 17-year-old son, who just mentioned it in passing. I've never come across this before. It's

a very unusual step to take, and I'll be trying to find out more about it."

Another parent said: "I think it's ridiculous. My son thought it was a joke. How are they going to police it? Are teachers going to be walking around the school with a ruler measuring the space between pupils?"

The rector's secretary said that neither the rector nor the deputy rector was available for comment, and nobody else at the school was authorised to comment.

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Nursery teacher bound and gagged asthmatic boy, 4

By BEN PRESTON, EDUCATION CORRESPONDENT

A BOY aged four who suffers from asthma was bound and gagged with sticky tape by his nursery teacher as punishment for clapping in class.

Nathaniel Thomas's father said yesterday he was considering legal action, in spite of receiving a full apology after the incident at the nursery unit of Lea Bank Junior and Infant School in Lea Bank, Birmingham.

Dean Thomas claimed that his son's hands and legs were tied together to stop him making a noise. When he confronted the teacher, she said: "My boy was punished because he was clapping in class. I wouldn't expect a teenager to be treated like that, let alone a four-year-old child," Mr Thomas said.

He said the punishment lasted 30 minutes. "I am sure the teacher could have punished him in many other ways, like making him stand on his own in the corner. My son is asthmatic and this could have triggered a reaction, particularly when she put the tape on his mouth."

Jenny Thomas, the school's head teacher, confirmed that Nathaniel's hands were tied with tape and that another piece was used on his mouth. She said that disciplinary action was being taken against an unnamed teacher. "We are treating this extremely seriously," she said.

A spokeswoman for Birmingham Education Authority said the teacher was currently on sick leave. She said: "We do hold up our hands as to the school and fully admit that the teacher did tape the boy's hands, feet and mouth. The boy was obviously very distressed by what the teacher did to him."

"Although we understand from the school that the tape was only on his mouth for a minute or so, we do recognise this is no justification for her actions."

She said that she was not able to give details of what disciplinary action was being taken against the teacher.

Andy Howell, chairman of Birmingham education committee, said: "In the light of the seriousness of these allegations I have spoken to the chief education officer, Professor Tim Brighouse, and an investigation of the circumstances surrounding the incident is now underway."

Chris Keates, a spokeswoman for the National Association of Schoolmasters and Union of Women Teachers, said yesterday: "I do not think anyone would consider this appropriate action."

The advice we always give is never use physical punishment. Refer the problem to senior management and, if necessary, the child should be excluded.

"Do not lay a hand on the child because the teacher always loses out. If a physical sanction is used it tends to distract from what the teacher may have had to put up with. Teachers have to put up with a great deal of frustration from difficult pupils. Four-year-olds can be just as disruptive and inflict as much damage as 15-year-olds."

Parents with children at the school expressed concern. Kerry Ingram, 26, was worried about her three-year-old daughter Naomi. She said: "I would not want anything like this to happen to her. It's disgusting, totally out of order. How could they do that to a four-year-old just for clapping?"

Karen Rawlings, 29, said: "I know Nathaniel and he has always seemed like a nice, quiet lad. I have never seen him playing up."

A member of staff who did not want to be named said yesterday that the teacher involved was off work suffering from stress.

She added: "Personally I am glad the boy's father has done what he has done. This should not be hushed up. Any teacher or nursery teacher who does anything like this should be sacked instantly. There is no excuse for it."



THE irreverent and colourful spirit of Franco Moschino, who died last year, lived on in his designs for the Milan ready-to-wear autumn/winter collection previews, Ian R. Webb writes. "Forever Moschino" was the theme and the collection appeared to be a celebration of his greatest hits. He was known as the "Bad Boy" of Italian fashion

Colour and comedy keep Moschino name alive

and earned his reputation by debunking the concept of glamour and poking fun at the industry. This season's show, designed by the creative team at his studio, was

full of typical jokes. As well as the ladybird dress, above, there was a little black dress with an obviously faux red, green and white beaded necklace and FAKE emblazoned

across the front with an arrow pointing to the gaudy "jewels". But the real applause was saved for the finale, with the models in Moschino classics, among them a ballgown and a sari, all made from a sky blue fabric printed with white clouds. Each wore white wings as the soundtrack played *Heaven Must Be Missing An Angel*.

Boyfriend named in hunt for woman's killer

By MICHAEL HORSNELL

THE body of a 24-year-old woman was found on a wooded hillside at a Berkshire beauty spot yesterday after a 48-hour police search.

Phaedra Walker, a care assistant from Cookham, Berkshire, who is believed to have been strangled, disappeared after leaving home to meet a former boyfriend. Last night detectives said they urgently wanted to interview Brian Cuthbertson, 24, with whom Miss Walker used to live. Mr Cuthbertson, a carpet fitter, is believed to have driven Miss Walker's red MG Metro to Gloucester Road Tube station in London on Saturday, where it was recovered by police.

Miss Walker, who lived with her parents in Cookham, had not been seen since Saturday morning when she set off

to meet Mr Cuthbertson at 9am. Her body was discovered on the hillside above Cookham Dean.

The couple were thought to have met on the outskirts of Maidenhead after Mr Cuthbertson's Ford Escort broke down and he used a green mountain bike to complete the journey.

The couple lived together for several years in Booker, High Wycombe, Buckinghamshire, but Mr Cuthbertson moved to Ascot after the couple broke up earlier this year.

He was arrested in February after allegedly driving off from a crash in which a pedestrian aged 74 was killed. Mr Cuthbertson was charged with causing death by dangerous driving, failing to stop after an accident and drink-driving.



Brian Cuthbertson: car found in London



Phaedra Walker: dead on hillside

Police step up hunt for serial sex attacker

By PAUL WILKINSON

A MAN who attacked three women in two hours at the weekend has been linked to sexual assaults on eight Roman Catholic schoolgirls in the past month. After the three latest attacks in which one victim was raped at knife-point, police in east Leeds have issued a warning to women: not to walk home alone.

Detective Inspector Roy Kent, who is leading the hunt, said: "These assaults are getting more serious. He could strike again and on the next occasion he could use the knife. He is a sex maniac who must be found."

Last weekend's attacker, who has been dubbed "the hippie rapist", because he wears 60s-style flared trousers and a kaftan, is believed to be the man responsible for eight attacks between 6 and 27 February, on schoolgirls from Mount St Mary's Roman Catholic High School in the Killingbeck district.

A man of a similar description sexually assaulted the girls aged 13 and 14 as they walked to and from school or waited at bus stops. Each of the victims told detectives in the incident room in Killingbeck police station that their attacker looked like something out of the Sixties.

He had a wispy beard and dirty sandy coloured shoulder-length hair. He is 5ft 8in tall, in his mid-20s, with a sunken face and staring eyes. Mr Kent said: "Women should walk in pairs and keep to well-lit areas."

Starr brings laughter to trial of his gardener

By KATHRYN KNIGHT

THE comedian Freddie Starr reduced a court to laughter yesterday as he joked with lawyers while giving evidence against his former gardener, who is accused of stealing more than £40,000 of jewellery from Mr Starr and his former wife, Sandra.

Robin Coxhead, 44, from Reading, Berkshire, who was employed by the Starrs at their home in Berkshire, claims that the jewellery was given to him by the comedian in return for sexual favours.

Mr Starr rejected the claim as he was cross-examined at Reading Crown Court yesterday. He said: "It's totally and utterly despicable and that's why I'm in court now. I've come down here to defend myself against people who do this to people in the public eye."

Mr Coxhead denies three charges of theft between

1990 and 1994 relating to items including watches, bracelets, diamond rings and a pendant necklace. Mr Starr said he had given Mr Coxhead £5,000 after an incident in which the gardener had been mugged but said there had been no other gifts. He knew Mr Coxhead was homosexual but thought of him as a close family friend.

The jury laughed as he told how he bought one of the watches while he was playing the Hilton Hotel in Las Vegas, adding: "It's where Elvis Presley used to play." Laughter broke out again when he described an occasion when he tried to outdo Englebert Humperdink by wearing two watches and a large number of rings, some of which he said he had lost.

Paul Reid, for the prosecution, said the theft had emerged after the Starrs

returned to their home from holiday in February last year, during which time Mr Coxhead had been looking after the house. Mr Starr said: "When I came in I thanked Robin for looking after the dogs and parrots — not hamsters."

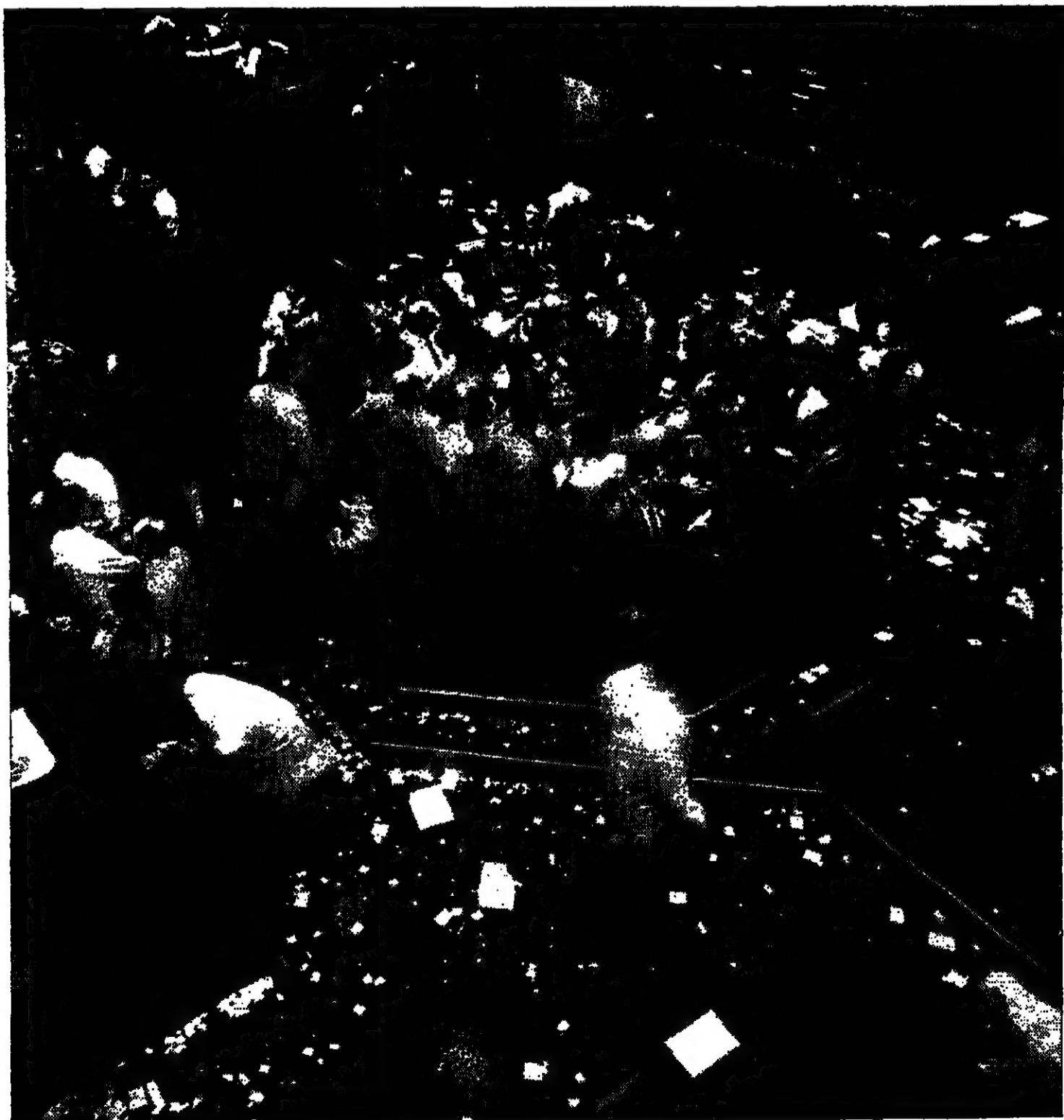
Mr Reid said Mr Coxhead told police that he did have some jewellery but claimed it was given to him over several years by Mr Starr in return for sexual favours. Mr Starr accused Richard Kovalevsky, for the defence, of trying to blacken his character.

Mr Starr said he had been on good terms with his former wife, from whom he is now divorced, until lawyers became involved. Mr Kovalevsky said: "They [lawyers] are terrible people." Mr Starr replied: "You can say that again — and very expensive as well."

The trial continues.

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Children in abuse case meet parents they do not know

By Gillian Bowditch, Scotland Correspondent

SEVEN children kept in care over an alleged sex abuse case met their parents yesterday, three of them for the first time in five years. Some of the children, who were babies when they were taken into care, have no memories of their parents.

Eight children were taken from their parents five years ago after allegations of ritual sex abuse, sadism and torture in Ayrshire. A week ago three judges ruled that the children, now aged between five and 15, should never have been taken from their homes.

One child, a girl of 15 who has had contact with her parents throughout, returned home immediately but the judges ruled that the other children's return should be more gradual to minimise the trauma.

The meetings are being monitored by two curators: a psychologist and a psychiatrist. They will judge how much access the parents should have to their children before they return home. They will report back to the Court of Session in Edinburgh on March 21 and, assuming the reunions have gone well, the

children will then be allowed to return home.

The three Court of Session judges will base their decision on the children's future on the curators' reports but have already ruled that the children should be returned home "as soon as possible". All seven children still in care are likely to be returned to their homes in a fortnight's time.

Lord Hope, the Lord President, said yesterday that the court was pleased with the full reports they had received updating them on the situation, although another hearing was needed.

Paul Burns, the parents' lawyer, said: "Everything is now in the hands of the curators." He said reports that the children did not want to see their parents were "neither significant nor surprising". He blamed them on Strathclyde social work department, which has been severely criticised by the courts for its role in the affair.

Mary Hartmoll, director of social work at Strathclyde Region, said the fears were normal because the children did not know their parents properly and did not want to

leave the special unit where they lived for another home.

Dr Malcolm Hill, of Glasgow University's centre for the study of the child and society, said much would depend on whether the children's memories of their parents had been kept alive by their brothers and sisters or their carers. Their successful reintegration will depend to some extent on whether they have positive or negative attitudes towards their parents.

"The reintroductions will have to be handled gradually and sensitively and they will need individual support for some time to come."

"Obviously a degree of continuity would help but that may be difficult. The children may find themselves changing schools and friends and having to adjust to new situations on several fronts at the same time. In these circumstances, if there is hostility towards the carers, then continuity might be difficult."

Mr Burns said the issue of compensation for the families would be dealt with in the future. "At this stage we are simply concentrating on getting the families together."



Judy Garland takes centre stage in the 1954 musical film version of *A Star Is Born*, which Sir Andrew is to produce as a West End show

A show is born from the Garland classic

By Alexandra Freen, Media Correspondent

SIR ANDREW LLOYD WEBBER is to bring the classic Judy Garland film, *A Star Is Born*, to the West End and Broadway in its first stage production. The composer secured the rights to the stage version from Warner Brothers at the weekend.

A spokesman for Sir Andrew's

company, the Really Useful Group, said yesterday that he intended to act as producer and would not be writing any new songs for the show. "He thinks that Harold Arlen's original score is wonderful and that he could not hope to compete with songs like *The Man that Got Away*."

A Star Is Born is likely to open within 18 months to two years. Although Sir Andrew wants it to be

staged first in London, availability of theatres may result in it being premiered in New York.

Casting has not yet begun, but Sir Andrew is hoping that Garland's role will be taken by a relative newcomer, while the part played in the 1954 film by James Mason will go to an established artist.

Garland, who used *A Star Is Born* to stage one of her many comebacks,

gave one of her best screen performances in the film, which tells the story of a young actress whose career is taking off and an ageing actor on the skids.

□ The hit musical, *Five Guys Named Moe*, is to return to the West End because of a strong demand for tickets. The show, which closed on Saturday, will open in the summer at a theatre to be announced.

Navy officer stole to pay for love trip

A MARRIED warrant officer who ran the Royal Navy's £9 million travel budget abused his position to fund a trip to the West Indies in pursuit of his lover, a court martial was told yesterday.

Christopher Chiswell, 46, a father of three, from Ivybridge, Devon, was jailed for six months and dismissed the service after admitting theft.

Chiswell, a senior rating with 31 years' exemplary service, used naval funds to pay for his £1,000 return flight to Trinidad last year, claiming he was going on business, the hearing at Portsmouth was told. He spent five weeks with his lover, leaving his wife at home.

Three killed as joyrider crashes

By Robin Young

A BOY of 16 who took his mother's car without permission killed himself and two others in a head-on crash. Carl Edwards' victims were the young mother driving the car with which he collided, and an 11-year-old friend, one of four he had taken for a ride in his mother's Peugeot 106.

Edwards, who was too young to hold a driving licence, drove at over 60mph through a narrow village street with a 30mph limit and collided with a car being driven at about 20mph by Leanne Davies, 21, the mother of a three-year-old boy, Thomas. It took firemen nearly two hours to cut the three dead and four seriously injured from the wreckage.

Edwards, of Croeserw, West

Glamorgan, was accompanied by his brother Robbie, 10, Robert Evans and Lisa Howells, both 16, and Roy Davies, 11, who was also killed. They collided with Miss Davies' Ford Fiesta four miles from Edwards' home.

Maesteg, was on his way to his son with her parents.

Detective Inspector John Adley said the car was taken without permission. "It is yet another incident to add to the catalogue of horrific crashes because of a young person driving without a licence." He appealed for witnesses.

PC Neil Youden, who was the first at the scene, said: "It is absolutely terrible to see young lives lost in this way. It was like a scene from your worst nightmare — just carnage, blood and bodies."

in the village of Nantyffyllon on Sunday night. Christopher Jones, 24, Miss Davies' boyfriend who was in her car, and Robbie Edwards were both critically ill on life-support machines in the Princess of Wales Hospital, Bridgend.



Killed: Leanne Davies



Orphaned: Thomas Davies

Howard revives offender tagging

By Richard Ford, Home Correspondent

A SCHEME to fit offenders given curfew orders with electronic tags is to be started in June, the Home Office announced yesterday.

The nine-month experiment had been due to begin in three areas last December, but is understood to have been delayed because of a lack of interest from private-sector firms and high bids from contractors.

Offenders over 16 who have a curfew order imposed on them by magistrates will wear an electronic tag on their wrist or leg, which will transmit a signal to a receiver linked to a central computer. This will alert an operator if the offend-

er breaks the curfew. Michael Howard, the Home Secretary, told MPs in a written Commons answer that the £1.4 million trials will begin in Manchester, Norfolk and Reading.

During the trials, the courts will be able to give a curfew order to an offender for a minimum of two hours and a maximum of 12 hours a day, for up to six months. It can be imposed in combination with other community sentences.

Tagging was tested five years ago on 50 people on bail. The equipment broke down regularly and 29 offenders violated their curfew or were charged with a new offence.

Woman in wrongful arrest wins £12,000

By Lin Jenkins

A PREGNANT woman who was arrested in an armed police raid on her home and taken from the house at gunpoint wearing a dressing gown and carrying her young daughter has been awarded £12,000 compensation.

In an operation that West Midlands Police admitted was based on information which proved "unsubstantiated and unreliable", her husband and a friend were also arrested at gunpoint when they returned to the house. They were awarded £15,000 and £10,000 each. Ron Hadfield, Chief Constable of West Midlands Police, in a statement to Birmingham County Court yesterday, apologised to the three. The statement read to Judge David Wilson said that Mr Hadfield "wishes to express his regret unreservedly for the ordeal they have each been through". It said that the three were "persons of good character and are entirely without previous convictions".

Police accused them of having a sub-machinegun and a sawn-off shotgun in the house and believed one man had been part of a gang planning an armed robbery. The information being acted upon one morning in July 1991 was thought at the time to be reliable and therefore police acted quickly in view of the potential danger to people in the vicinity.

Cindy Walker, 32, had been waiting for her husband, Paul, a psychiatric nurse, to return from work when the armed-response unit announced their arrival at the semi-detached home in Perry Common, Birmingham, through loudhailers. She was forced to carry her daughter, Jade, two, wrapped in a blanket. "We are still not satisfied with how this ended," she said yesterday.

Apart from the apology from the police we still need to know the truth. Mr Walker, 32, the son of a police officer whose sister is also in the force, was held for ten hours after his arrest. He said: "I am satisfied with the result, but I wish it was a sincere and heartfelt apology. We had to go to court to get it."

Quentin Blackmore, 35, who has since moved to Wales, said after the hearing that he wanted to put his arrest and seven-hour detention behind him. "It could have been resolved a long time ago. The police acted in an appalling and cavalier manner."

Loss of giant ore-carrier in storm to be reassessed

By Paul Wilkinson and Ronald Fair

INVESTIGATORS are to re-examine the loss of the giant ore-carrier *Derbyshire*, which sank with all hands in a typhoon off Japan 15 years ago. It is the largest British-registered ship to be lost at sea.

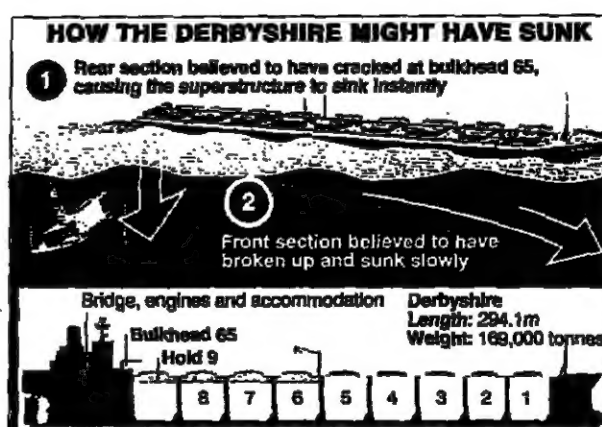
Lord Donaldson of Lynton, who conducted the inquiry into the foundering on Shetland rocks of the tanker *Braer*, has been asked to head a team to examine whether it is worth holding a fresh public inquiry into the sinking, which claimed 44 lives.

Relatives of the victims, who believe design faults led to catastrophic cracking of the hull, say they are disappointed by the decision of Brian Mawhinney, the Transport Secretary, not to order an immediate fresh public inquiry despite new evidence that contradicted the official opinion that the 169,000-tonne vessel had been overwhelmed by enormous seas. A 1987 public inquiry concluded that the disaster had been caused by "adverse weather conditions". Lord Donaldson, a former Master of the Rolls, will assess what further work might be undertaken to determine the cause, how much it would cost and its future value to British shipping.

Marion Bayliss, 57, from Corby, Northamptonshire, the secretary of the Derbyshire Families Association, said: "How can they quibble about the cost of an inquiry like this? It is 15 years since the tragedy and we are no closer to finding out what happened." Her husband, Curly, 42, was the *Derbyshire*'s chief officer. She added: "There were 44 people on that ship but they weren't just people, they were fathers, husbands, sons, wives and sisters. Since 1971, 88 bulk carriers have gone down with the loss of 2,000 lives. Last year alone 19 sank."

Paul Lambert, whose brother, Peter, was lost, said: "We want the first public inquiry to be deemed invalid and its findings unsafe. We want a return to the wreckage site to complete the investigation and we want a fresh public inquiry."

Supporters of the families have already provided fresh evidence to indicate that serious construction flaws led to a crack developing between the cargo holds and the rear section of the ship containing the accommodation and controls. They believe that, in the force-12 conditions of Typhoon Orchid, the stern snapped off and sank almost instantly.



Similar cracks developed on other ships of the class built in the 1970s by Swan Hunter on Tyneside. The most notable was the *Kowloon Bridge*, which broke up off the Irish coast at Bantry Bay in 1987. Last June, an expedition funded by the International Transport Workers' Federation located the *Derbyshire* lying on the seabed at a depth of two-and-a-half miles. Pictures from remote cameras indicated a break-up of the ship before sinking. In a Channel 4 documentary to be shown tomorrow night, Dr Dan Khoury, maritime consultant to the Bibby Line owners at the 1987 inquiry, says: "It is very possible that the ship was lost due to massive structural collapse. It is now very necessary a new expedition is mounted to pinpoint the cause of the loss. We owe it as a debt of honour to those who died."

Margot Norman, page 15

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Council approves secure housing for anti-social tenants

By Gillian Bowditch, Scotland Correspondent

A HIGH-SECURITY housing scheme designed to turn anti-social families into model neighbours has been approved despite fears that the properties will become a ghetto for problem families.

The £1 million scheme involves putting up a 6ft perimeter fence round a tenement block in Dundee, introducing a night-time curfew and installing reinforced glass. The proposed block has been called "mini-Colditz" by local residents, who have gathered 2,000 signatures in protest.

The three-storey block of flats chosen by the council is to have four cameras to monitor those entering and leaving the properties. The so-called suitcase families living there will have become homeless by breaching tenancy agreements. They will be supervised 24 hours a day by counsellors who will sleep on the premises, and tenants will have to guarantee to abide by a code of conduct.

Yesterday, the housing committee of Tayside Regional Council, which is Labour-controlled, backed the scheme. It already has the support of Dundee District Council and NCH Action for Children, the children's charity. The Scottish Office is funding 75 per cent of the cost over four years. The scheme, expected to be in operation by the end of the year, is believed to be the

first of its kind in Britain. Colin Flinn, of NCH, says: "The idea is to give families a second chance and to try to break the cycle of homelessness. None of the families housed in the block will be currently anti-social."

Mr Flinn said the perimeter fencing was designed to protect children in the play area from traffic. The reinforced glass in the ground floor would be for security. The curfew would help to provide discipline and security, and cameras were standard in such projects.

The council voted to set up a project advisory committee of 16 members, 12 of whom would represent community interests. They will be able to discuss how the scheme is run.

Opponents plan to appeal to a full meeting of Dundee District Council. The city has a reputation as one of the country's most radical councils when dealing with problem families. The council is also looking at plans to evict anti-social tenants quickly.

It recently submitted proposals to the Convention of Scottish Local Authorities that would allow it to take eviction powers from sheriffs and give them to tribunals, abolish the statutory notice to evict and give the council the final say over evictions. The council has evicted 30 tenants in the past two years and has legal action pending against 170. The new

proposals have been criticised by the Scottish Council for Civil Liberties.

The problem of stamping out anti-social behaviour on housing estates is now being tackled in two ways (Ian Murray writes). The most common is through a system of neighbourhood watches, backed by professional witnesses. The second, as with Dundee, is to impose good-behaviour conditions on tenants.

The pioneer of a sophisticated neighbourhood watch scheme was Sedgefield. For 18 months the council has employed 11 uniformed ex-police men equipped with six vehicles and two-way radios who patrol and respond to emergency calls from the public. The crime rate in the district has dropped by 20 per cent in a year.

Many councils, from Sunderland in the North to Southwark in London, now employ professional witnesses, either from their own staff or from private agencies, who collect evidence to bring troublemakers to court. A high proportion of residents are frightened to give evidence against their neighbours so the professional witness is the only way in which a council can seek an eviction order.

Housing associations vet prospective tenants increasingly thoroughly before granting a lease.



Robert Steel, 74, relaxes in the sun in London yesterday before starting a 4,444-mile sponsored walk round the perimeter of Britain to mark the National Trust's centenary. He hopes to raise £150,000 for coasts and countryside conservation

Scots fare worst in battle with tobacco

By Jeremy Laurance
Health Services
Correspondent

SCOTTISH women have the highest death rates in the world from smoking, according to the Imperial Cancer Research Fund.

Figures from the fund published today also show that the Scots are 50 per cent more likely to be killed by tobacco in middle age than the English. Among women the death rates are 66 per cent higher than in England and among men 33 per cent higher.

However, other figures show that the Scots are no more likely to take up smoking than the English. A survey by the Health Education Authority shows that southerners are more likely to try smoking than northerners, but they are better at giving up the habit.

While almost 75 per cent of both Scots and English have smoked at some point, only 30 per cent of the English are current smokers, compared with 39 per cent of Scots.

The findings suggest that smokers face greater difficulties in giving up the habit in Scotland and the North, which may provide the key to regional differences in smoking rates. The survey results showed little evidence of a North-South divide in smokers' desire to quit.

Dr Robert West, reader in psychology at St George's Hospital Medical School, London, and author of the report, said: "It is not the case that people in the North and Scotland are more likely to take up smoking. But people in the South are more likely to give up."

The survey report, *Escape from the Nicotine Trap*, published to coincide with No Smoking Day tomorrow, found that groups among whom smoking was highest had the lowest rates of giving up. Dr West said: "It is more difficult to give up when those around you are smoking. It is a bit of a vicious circle. If you live in a group or region where there is a high number of smokers it will make it more difficult to give up."

Mormons spend £14m on farmland

By Michael Hornsby
Agriculture
Correspondent

THE Mormon Church has spent about £14 million on buying nearly 9,000 acres of prime arable farmland in south-east England, its first big investment in agriculture outside North and South America.

Church officials began their buying spree last August with the £6.5 million purchase from the BBC's pension fund of three farms in Cambridgeshire occupying a total of 3,748 acres.

The church has since acquired three more farms — from the Klenwort Benson Farmland Trust — for a similar sum. The land is at Sleaford in Lincolnshire (1,385 acres), at Wiggshall in Norfolk (1,492 acres) and at Saxmundham in Suffolk (2,282 acres).

Philip Wheeler, the church's controller in charge of farming, said: "We plan to run the farms as commercial enterprises, either putting in our own managers or using the tenant farmers already in place. There is no question of using the land to set up communes or anything of that kind."

Income from the land, which is expected to amount to between £100 and £150 an acre, will be used to fund the church's welfare system. This provides unemployment benefit and other assistance to members who fall on hard times in return for them undertaking "work assignments" in the community.

The Church of Jesus Christ of Latter-day Saints was founded in 1830 by Joseph Smith, a New England farmhand, and came to Britain in 1837. Its worldwide following is now almost 9 million.

Minister pledges £2.5m for new Paolozzi gallery

By Our Scotland
Correspondent

THE Government is to give £2.5 million to a controversial new art gallery devoted to the works of the sculptor Sir Eduardo Paolozzi. The Paolozzi Gallery, dubbed "the ultimate ego trip" by critics, will be sited in Sir Eduardo's native city of Edinburgh. Sir Eduardo has offered to donate a large part of his collection

and the contents of his London studio to the gallery, but plans for a Paolozzi gallery have been attacked by critics who believe that he does not merit such an honour.

The gallery will be sited in the Dean Centre, close to Edinburgh's National Gallery of Modern Art, and should be open to the public in 18 months. The magnificent building, which was once the city orphanage, has been empty for several years. It will be donated by

Lothian Regional Council to the National Galleries of Scotland for a peppercorn rent. Yesterday Ian Lang, the Scottish Secretary, gave his backing to the scheme and pledged the money needed for the conversion of the Dean Centre.

Critics of the scheme, including the art critic Brian Sewell, say Paolozzi's work does not justify a gallery of its own. Describing Paolozzi as "a second-rate artist", Mr Sewell says:

"At best a Paolozzi gallery would be a bore." Sir Eduardo, the son of Italian ice-cream merchants, intends to spend some time working in the reconstructed studio in the gallery and will give lectures.

Large sculptures will be placed in the grounds around the building. He is enthusiastic about the project, saying it will give the public a chance to appreciate the mind of an artist and understand how things are made.

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Rise in lone households adds to housing demand

By IAN MURRAY, COMMUNITY CORRESPONDENT

AN EXTRA 4.4 million houses and flats will be needed in England over the next 20 years for the rapidly growing number of people who want a home of their own, according to Environment Department statistics. About 500,000 of those will be required for up to a million migrants, mostly from other EU countries, who are expected to settle in England over that period.

The effect of immigration will be felt most in London, which the predictions show will become a larger, more cosmopolitan city. Although 1.04 million people will move out by 2011, some 690,000 international migrants will settle there. Since London births are expected to exceed deaths over the period by 831,000, the capital's population should rise from 6.9 million to 7.4 million.

The total of 23.6 million

households needed by 2016 in England is considerably higher than Environment Department estimates made only three years ago and means that the housing stock will have to grow by almost a quarter if homelessness is not to surge. Planners will have to balance the conflicting demands of environmental protection and development.

In contrast to the 1992 official estimates, the population is now expected to grow by 3.2 million instead of 2.4 million between 1991 and 2011, with migrants making up 850,000 of the increase. Social trends, however, mean that the need for housing is growing faster than the population. Longer life expectancy, a higher divorce rate and an increasing propensity of people to live on their own are all factors.

While the population in England is expected to rise

only by 3.6 million up to 2016, the number of households will increase by 4.4 million over the same period. Half of the extra homes are required for the larger population. About one property in three will go to a single person and one in five will be needed for the growing number of pensioners.

For the first time since the household projections were started in 1969, cohabiting couples have been included as a separate category. There are 10.5 million married couple households at present, compared with 1.2 million cohabiting couples. By 2011, however, only 141,000 couples in the under 25 age group are expected to be married compared with 216,000 who will be living together. Almost a half of couples under 30 will be cohabiting, compared with just over a third at present.

Single-parent households

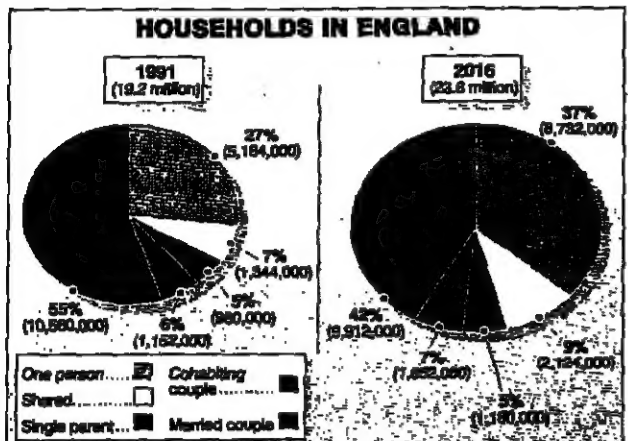
are also expected to grow from 981,000 in 1991 to 1.26 million in 2011. However, the largest increase of all will be in the number of people living alone. That is especially marked among men and highlights the growing number of male divorcees who never find another partner. In the 30-34 age group, 54 per cent of men are expected to be living on their own compared with 37 per cent of women. The proportion of women living on their own increases steadily as they get older.

Overall, the number of households should grow by 23 per cent nationally. However, the increase is likely to be 29 per cent in the South West and East Anglia, where many pensioners move on retirement.

The figures showing the demand for nearly a quarter more homes by 2016 were described as "extremely disturbing" by the Council for the Protection of Rural England. Tony Burton, the council's planning expert, said a rural area the size of Bristol (27,000 acres) was already being lost annually in England to housing development.

These new projections... must not be allowed to dominate as they do at present. Planners need to work out the capacity of the environment to absorb housing rather than focus solely on the capacity of housing.

Projections of Households in England to 2016 (Stationary Office: £45)



Sergeant White arriving at the tribunal, which is expected to last three weeks

Doctor is accused of killing

A junior hospital doctor was sent for trial yesterday, accused of the manslaughter of a patient. Dr Yin Yin Teoh, 25, who comes from Malaysia, was accused of the unlawful killing of Samuel Beers, 36, at the Royal Victoria Hospital, Belfast, in February 1994.

The doctor was sent for trial at Belfast Crown Court by the city's magistrates, who released her on bail of £100.

Mr Beers, from Newtownards, Co Down, is understood to have died after penicillin was accidentally injected into his brain instead of his hand. His widow Natalie was in court with her eldest son Jason, 15.

Mother's victory

A woman has won £15,000 compensation after being chosen for redundancy from a B&Q store in Colchester because caring for her handicapped child was said to affect her work. Laura Hambrook, 27, accepted the award on the eve of a tribunal hearing of her claim for sex discrimination and unfair dismissal.

Prison death

John Santacrose, 37, a remand prisoner from Port Talbot, West Glamorgan, died after cutting a wrist in Swansea Prison yesterday hours before a court appearance on charges of rape, threatening to kill and indecent assault.

Libel damages

Jim Allen, author of *Perdition*, has accepted libel damages from Max Hastings, Sir Peregrine Worsthorne and Geoffrey Wheatcroft of *The Sunday Telegraph* and its publisher over an article saying the play was meant to offend Jews.

Trust fined

Frenchay Healthcare NHS Trust was fined £15,000 by Bristol magistrates over the death of Reginald Newport, an 81-year-old patient at Blackberry Hill Hospital, Bristol, who fell from his bed on to a hot radiator pipe.

Football booty

Birmingham City Football Club's playing staff had dozens of pairs of boots stolen in a break-in at their ground while the first team was playing at Hull City on Saturday. The boots are worth £4,000. The club is offering a £500 reward.

Last payment

A cheque paying for the last weekend Ruth Ellis and her lover David Blakely spent at the Oaklands Hotel, Chester, is to be auctioned at Sotheby's on March 30. She killed him in 1955 and was the last woman hanged in Britain.

Police 'terrified' of sex bias claims

A POLICE sergeant's wife left him after a probationary woman officer made bogus sexual discrimination claims against him, he told an industrial tribunal yesterday. Sergeant Les White's wife of 21 years refused to believe her husband was telling the truth.

The 47-year-old officer's marriage ended soon after WPC Maureen McGinley claimed he had spread lies about her, calling her a "dangerous woman" and an "imposing feminist". When Sergeant White, a policeman for 23 years, denied the claims, he said he was told by senior officers that he had to apologise because "you can't hope to win against a woman these days". WPC McGinley was later awarded compensation and Sergeant White was transferred, against his will, from West End Central in London.

Christopher Frere-Smith, representing the sergeant, said the police were "terrified" of bad publicity involving

sexual discrimination claims by women officers. He told the tribunal at Woburn Place, central London: "The sole purpose was to sweep this case under the carpet regardless of the cost it would entail to Sergeant White."

Sergeant White said he was given the task of taking WPC McGinley under his wing when she arrived from training college at Hendon.

He is alleged to have told other officers that she had a reputation as "a dangerous woman". He said: "I also said she was inclined to express her extreme views on people whether they wanted to hear them or not."

After being ordered to explain his remarks to senior officers, he was transferred to Marylebone in August last year. He is claiming sexual discrimination against the Metropolitan Police on the ground that he was not given adequate chance to defend himself against the allegations. The hearing continues.

Legal aide pocketed £75,000 in court fines

A SENIOR courts' administrator who took more than £75,000 in criminal fines to help to pay the fees at his daughter's school was jailed for three years yesterday by Chichester Crown Court. Jeffrey Slater, 38, who organised the payments system at three courts in Redhill, Dorking and Oxted in south-east Surrey, admitted five sample charges of theft totalling £75,902. Judge Wintmore told Slater: "This was a grave breach of trust and calculated fraud."

The court was told how Slater, of Reigate, had taken the money over a four-year period while in charge of court expenditure. Richard Soames, for the prosecution, said: "Petty criminals paying their fines and expecting them to go into the public purse did not realise they were going into the pocket of a court official."

The thefts, of between £300 and £400 a week, went undetected for four years because Slater had devised the courts' accounting system. He covered his tracks by delaying payments, such as costs, to the Crown Prosecution Service and the police.

Mr Soames added: "It was his belief that the CPS and police would have such trust in the smooth workings and reliability of the magistrates' courts that they would not make checks. They were soft targets."

Alan Bayliss, for the defence, said Slater had marriage problems and was running into debt. He was, in effect, doubling his salary, but he needed the money to pay his daughter's school fees.

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The moment victory was in sight

In Napoleon's steps across the Rhine

ONE of the best known images of the Second World War is that of the twin Gothic towers of Cologne Cathedral standing miraculously intact above the surrounding rubble. By the time American tanks and infantry entered the great Rhineland city on March 6, 1945, three quarters of the buildings were in ruins and only 150,000 people were still living there, compared with a pre-war population of more than one million.

In contrast to the speed of the advance through France and Belgium, it had taken almost six months of bitter fighting since the British and the Americans reached Nijmegen in September for the Allies to complete a 100-mile front facing the Rhine. In hardship, frustration and casualties the campaign had been likened to those of the First World War.

With the invasion forces now at last poised for the push into the German heartland, Hitler had given orders that every one of the bridges over the Rhine must be blown before it fell into Allied hands. But on March 7, the day after the capture of Cologne, a United States Army second lieutenant, Emmett J. Burrows, emerged from the woods above the town of

■ In our series marking the 50th anniversary of the Second World War John Young recalls a vital bridgehead

Remagen, some 30 miles south, to be met with the sight of German troops fleeing across the still intact Ludendorff railway bridge.

The news was conveyed to a delighted General Omar N. Bradley, commanding the US 12th Army Group, and by 4pm that day the 9th Armoured division had reached the bridge. In an act of heroism, Lieutenant John Mitchell, of Pittsburgh, climbed down the structure, found the explosive charges that had failed to ignite, and disconnected the detonators.

American troops, shouting as they went, surged across the bridge, and Sergeant Alex Drabik, of Ohio, had the distinction of being the first invader to cross the Rhine into Germany since Napoleon. By nightfall 8,000 men had crossed to form a bridgehead.

Despite repeated German counter-attacks, including a rocket strike, the bridge was not finally destroyed until March 17, by which time two temporary structures had

been built and four divisions were dug in on the east bank. The German major whose task it had been to blow the bridge was shot on the personal orders of Hitler.

In a rage Hitler also dismissed, for the second time, Field Marshal Gerd von Rundstedt as commander-in-chief of the German army in the west. The immensely experienced von Rundstedt had led the invasion of France in 1940 but had been blamed for losing the Battle of Normandy four years later and sacked for daring to ask the Führer how he imagined Germany could still win the war.

It had taken only two months for him to be reinstated, but this time the break was final. "He is finished," Hitler declared. "I don't want to hear any more about him."



Dame Vera yesterday: "We must not forget what they did for us. They are elderly and they need help"

Vera Lynn in cash plea for wartime survivors

DAME VERA LYNN, the wartime "forces' sweetheart", launched a nationwide campaign yesterday to draw attention to the hardships still being suffered by many of the survivors of her generation (John Young writes).

The Queen and other members of the Royal Family will play a part in this year's programme of events, entitled *Tribute and Promise*, to remind those who have lived through half a century of peace what it owes to those who fought for it. Dame Vera said many people who served in the war were now in need or simply lonely. They included civilians who worked in factories, on buses and in the fire brigade.

"We must not forget what they did for us," she said. "They are elderly and they need the help they are not getting but are entitled to." Organisers hope to enlist the support of children and have suggested a 50p individual contribution. "A penny for each year of peace. It's not much to ask," she added.

War anniversary stirs resentment

FROM ROGER BOYES IN REMAGEN

FOUR blackened towers on the banks of the Rhine are the last trace of the battle for Remagen Bridge. Today, 50 years after American troops breached Germany's last natural defence in the West, Americans, Germans and Belgians will gather to remember the dead.

Until now, the Remagen anniversary has been regarded as one of the least controversial of this year's wartime landmarks. Two turrets have been converted into a museum, partly outlining the history of the bridge — built in the First World War for supplying the Western Front — and partly staging an exhibition dedicated to "world peace".

The Americans celebrated the capture of the bridge as a great military triumph and the Germans have broadly accepted their version of history. Yet a new variant is being introduced: Germans as victims. After the US victory, Germans in the Rhineland surrendered en masse. Between April and July 1945 some 260,000 German prisoners of war were held under American guard in the boggy fields between Remagen and

Sinzig. They were kept in the open air and their daily ration was one potato, a biscuit, a spoonful of vegetables and some water. Racked by disease, at least 1,200 died, according to German records.

Rhinelanders have kept these memories alive but have rarely spoken openly about their resentment. Now, with the self-confidence of the new united Germany, the former prisoners have been voicing their anger. As the dignitaries speak today, crowds will gather elsewhere: at the Remagen Chapel of the Black Madonna where families of the German prisoners mourn their dead; flowers will also be laid at a war monument in Sinzig.

Re-establishing Germans as the victims rather than the perpetrators of war has for Bonn been the quiet sub-text of this year's anniversaries. The political logic is plain: Germany is now projecting itself not as a military loser but rather as one of the victors of the Cold War. The fact that Germans also suffered in wartime is being presented as one of the elements linking modern Germany with its former enemies.

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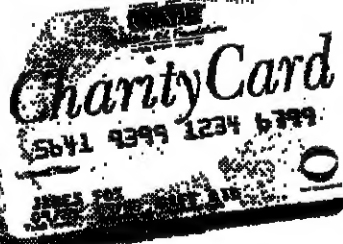
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Labour is in a muddle of its own making over regional assemblies

Labour has only got itself to blame for stories about party disarray over its proposals for regional assemblies in England. There is no real difference between what Tony Blair and John Prescott were saying over the weekend. But the confusing impression that has been created is not a Tory or a press invention. The party is in a muddle about regional government. The Tories have been given their first real opportunity for more than a month to counter-attack. John Major can feel content that his speech on Saturday helped to create headlines about Labour splits which lasted for two days, or news cycles as

RIDDELL ON POLITICS

the media advisers now call them. The promise to set up regional assemblies in England has always been for mixed motives. English assemblies have been seen as a necessary constitutional counterpoint to the party's firm pledges to set up a Scottish Parliament and a Welsh Assembly. If there was just devolution there, there would be the anomalous position (the West Lothian question) that Scottish and Welsh MPs would be able to vote on some English issues such as health and education when they

could not vote on these matters affecting their own constituents. But if there was also devolution in England, all members of the Commons would be in the same position. This idea of Home Rule all around was advocated during the battles over Ireland a century ago, though it challenged traditional notions of the unitary state. Labour has never envisaged the same regional structures throughout Britain. English assemblies would not have had the tax-raising powers proposed for the Scottish Parliament. So Westminster MPs would have been in different positions. The level of demand for regional assemblies differs enormously in various

parts of England, depending on the degree of regional identity. When Scottish devolution was debated during the late 1970s, some of the strongest opposition came from northern Labour MPs concerned that their region would suffer without a comparable measure of devolution. The north is now the only region of England to favour devolution to elected assemblies according to a recent MORI poll — apart from support in London for a strategic authority for the capital. People in other regions oppose assemblies.

After the Tory assault at the beginning of this year on the constitution, Mr Blair accepted that this was a vulnerable area of policy which would have to be rethought since there is no consensus about such assemblies. A party commission under Jack Straw is due to report in the summer. Labour policy has always involved a gradual process and the emphasis has now shifted to bringing the existing regional tier of administration under more democratic control rather than on a firm blueprint for regional assemblies.

The present Government has appointed highly rated civil servants, including some possible future permanent secretaries, to run regional offices combining several Whitehall departments such as trade and industry, employment and environment. These have sizeable budgets. At present, accountability is to ministers and hence to the Commons. Labour is considering how these and other non-elected bodies and quangos might be made accountable regionally, either to elected assemblies or committees involving locally elected politicians. The result could be a patchwork of different arrangements depending on the level of local demand. But as the shambles over the Banham commission has shown, there are often uncertainties and conflicts about what towns and cities, let alone whole regions, want. There is no reason

why structures should not differ between parts of the country. Labour faces a dilemma. If it tailors its proposals in England to regional circumstances, it may avoid some of the Tory criticisms of adding a further costly and unwanted tier of government but it may in the process create constitutional contradictions. If Scotland has a tax-raising parliament, and the English regions do not, the West Lothian question will remain. There would be different categories of MPs. Labour has a long way to go to construct, let alone to sell, a politically watertight case.

PETER RIDDELL

Clarke takes softer line on prospect for referendum

By NICHOLAS WOOD, CHIEF POLITICAL CORRESPONDENT

KENNETH CLARKE softened his hostility to a referendum on a single currency yesterday in a move seen by Tory MPs as fresh evidence of the Cabinet closing ranks after recent turmoil over Europe.

Only weeks after saying that a single currency was a matter for Parliament not a referendum, Mr Clarke said that it was "eminently sensible" to keep open the option of holding one. In a BBC Radio interview that should help to rebuild his strained relationship with John Major, Mr Clarke said he fully supported the Prime Minister's position on a referendum as set out in his Commons speech last week. Mr Major told MPs then that it could be "necessary and desirable".

Mr Clarke said: "John Major left open the question of a referendum to the Parliament that will have to decide it, if and when we ever join economic and monetary union. I regard that as eminently sensible."

But Mr Clarke again irritated the Euro-sceptic wing of the Tory party by repeating his view that the question of whether Britain scrapped the pound in 1999 was predominantly economic and not, as critics such as the former Chancellor Norman Lamont

have argued, political and constitutional.

As tempers cooled after Mr Lamont's decision to support Labour in a vote on Europe last week, some leading Euro-sceptics said yesterday that he had "won his spurs" by openly siding with the rebels. They said that many of the Maas-tricht rebels had been reluctant to embrace Mr Lamont because of his role at the Treasury in negotiating the treaty and defending British membership of the ERM.

Even among anti-European diehards, the suspicion lingered that Mr Lamont had changed tack on Europe more out of desire for vengeance against the Prime Minister than out of political conviction.



Clarke: "sensible to keep option open"

tion. But yesterday some rightwingers claimed that Mr Lamont had now secured a base among dissident backbenchers.

His admirers said they thought he would be better placed if there was a leadership challenge in the autumn. "Norman is a wounded beast in the bush and a wounded beast is a dangerous beast," one MP said.

Michael Spicer, a leader of a septic Tory faction trying to build bridges with Mr Major, said yesterday that the Government was in a strong negotiating position as it contemplated next year's inter-governmental conference on the future of Europe. Britain could name its price for withholding its veto over the closer political integration sought by other states.

"That price should certainly be a net retrieval of power. One way to ensure that the UK is not drawn into a federal union is to amend the 1972 European Communities Act so that the ultimate supremacy of the British Parliament is guaranteed in certain fields such as taxation, health, education, the voting system, local government, industrial relations, defence, and law," Mr Spicer said in a speech at York University.



Diana Maddock: "We want equal treatment not special treatment... equality of opportunity not equality of outcome"

Lib Dems courting women's vote

By ALICE THOMSON, POLITICAL REPORTER

THE Liberal Democrats launched an equal opportunities policy yesterday that they hope will make the party a clear favourite with women voters.

Diana Maddock, the Liberal Democrat spokeswoman on women's issues, promised that the party would strive to help the "average woman on the

street". She said: "Fifty-two per cent of the population are often silenced by the minority. We seek to shatter the systems and attitudes that dictate what men and women should and should not do, leaving them free to decide for themselves the paths they wish to follow."

The party's proposals, set out in *Equal Citizens - Promoting the Equal Treatment of Women*, range from improving childcare services and education and training for women to reforming the tax and benefits system and making public transport more accessible.

Not all the policies would cost taxpayers money. The

paper suggests that women should have a right to consult women health professionals and calls for increased visiting rights for women prisoners who have children and the reform of laws under which women are prosecuted for domestic violence.

Although only three of the 23 Liberal Democrat MPs are women, the party does not believe in women-only quotas, which have caused friction within the Labour Party, or in Emily's List, a Labour organisation that gives financial help to women seeking to become MPs. They also dismiss the idea of a ministry for women.

Mrs Maddock, who won

her Christchurch seat from the Tories in the 1993 by-election, said: "We want equal treatment for women not special treatment. Our aim is equality of opportunity not equality of outcome."

The Liberal Democrats are equally disdainful of the Tory party's approach to women, which includes advice on dress sense and grooming for parliamentary candidates and praise for party activists who excel at making jam. "The Tories are so patronising over women's issues," Mrs Maddock said. "In 15 years of government they have done nothing for the average woman."

Political odyssey around the parties

By NIGEL WILLIAMSON, WHITEHALL CORRESPONDENT

THE reaction that greeted the appointment of John Horam as the new Public Service Minister yesterday was almost as varied as the MPs' own chequered political career.

Mr Horam, who has now served in both Tory and Labour governments as well as sitting in the Commons as an SDP member, was denounced as a "dirty double rat" by his erstwhile Labour colleague Dennis Skinner. The new minister would surely have been disappointed had it been otherwise.

On the other hand, Downing Street officials went out of their way to praise a good-humoured and assured performance at the Dispatch Box by Mr Horam who, as luck would have it, found himself answering Commons questions on Civil Service matters on his first day in office.

If not quite unprecedented, Mr Horam's political odyssey has been a long and unusual one, abseiling across the face of British politics from almost one extreme to the other.

He entered Parliament as a TGWU-sponsored Labour MP for Gateshead West in 1970 and was initially thought to be on the left of the party. He was under secretary of state for transport in 1974 where his boss was Bill Rodgers, one of the founders of the breakaway SDP in 1981. It came as no surprise when Mr Horam became one of the party's earliest recruits.

He next appeared on the political scene on the eve of the 1987 election campaign when he announced that he was joining the Conservatives.

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New commission to examine claims of wrongful conviction

By ALICE THOMSON, POLITICAL REPORTER

MICHAEL HOWARD last night announced detailed plans to strengthen powers to investigate a growing number of alleged miscarriages of justice.

The Home Secretary told the Commons the work would be undertaken by a new fully independent body, the Criminal Cases Review Commission. "It will be independent, accessible and open. It will have strong investigative powers and it will be well resourced," he said.

The committee is to be set up after widespread public concern over the present system of dealing with potential miscarriages of justice, which is often lengthy and convoluted. The cases of the Birmingham Six and the Guildford Four increased the pressure.

Opening the second reading debate on the Criminal Appeal Bill, which legislates for a new commission, Mr Howard refused to apologise for having waited so long to bring in the reforms. "This Bill contains the most significant changes to the structure of our criminal appeals system for almost 30 years," he said.

Implementing some of the key recommendations made by the Royal Commission on Criminal Justice in 1993, the Bill also strengthens the powers of the courts to resolve doubtful criminal appeals. The new Commission will

examine cases in England, Wales and Northern Ireland. But the courts will continue to be responsible for determining all appeals. "This is the right approach, matters of guilt and innocence are properly for the courts to determine," Mr Howard said.

He promised that ministers would take no part in the new commission's day to day decisions and administration. Staff would be made up of legal, investigative and administrative advisers and they would have access to the knowledge, expertise and other resources of the police.

Mr Howard said: "This Bill is of the greatest importance in promoting the aim of a criminal justice system which is strong, effective and fair — in which the guilty are justly punished and the innocent have nothing to fear."

Jack Straw, the Shadow Home Secretary, told the House: "Labour supports this Bill and we shall give it an unopposed second reading." But he voiced serious reservations about the police being able to probe cases which were likely to involve themselves. "It would be far better if the system of investigation was independent," he said. He called for a core of investigators to be employed by the commission, or seconded to it, to investigate alleged miscarriages of justice.

IN PARLIAMENT

YESTERDAY: In the Commons, questions to transport ministers and the Chancellor of the Duchy of Lancaster were followed by a debate on the Criminal Appeal Bill, second reading. The Lords debated the Health Authorities Bill, second reading, the Humberside (Structural Change) Order, the North Yorkshire (District of York) (Structural and Boundary Changes) Order and the US Defence Counter-proliferation initiative.

TODAY: In the Commons, questions to employment ministers and the Prime Minister will be followed by a debate on the position of women in Britain, opened by Clare Short, Labour's spokeswoman on women's issues. The Lords, peers will debate the Environment Bill, report, followed by a debate on a call to encourage the restoration of democracy in Nigeria.

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Currency problems put EMU timetable in doubt

FROM WOLFGANG MÜNCHAU IN BRUSSELS AND EDWARD OWEN IN MADRID

IN A performance bordering on farce, the European Commission did its best yesterday to shrug off the latest devaluation of the Spanish peseta and the Portuguese escudo, claiming that the realignment of the two currencies was "proof of the good functioning of the exchange-rate system".

Yves-Thibault de Silguy, the Economic Affairs Commissioner, said: "The creation of a single currency is not affected. All preparations [for Economic and Monetary Union] must be completed by the end of 1996."

The Commission's curious optimism assessment of the latest convulsions in Europe's exchange-rate mechanism (ERM) came after an emergency session of senior EU central bankers and finance ministry officials at the weekend. After a difficult meeting, they agreed in the early hours of yesterday to devalue the central ERM rate of the peseta by 7 per cent, and of the escudo by 3.5 per cent. The realignment became necessary after weeks of turbulence in the currency markets that was

exacerbated by the collapse of Barings.

The Commission claimed that the realignment would have no impact on the timetable and the preparation for a single currency. Despite this reassurance, however, the realignment has at the very least put further doubts on 1997 as the earliest date at which

Although Portugal and Spain are still part of the ERM system, they are on a slippery slope

Europe can move towards the final stage of economic and monetary union. It also calls in question whether any of the Mediterranean countries are economically fit to join in the foreseeable future.

The Maastricht treaty stipulates that a currency must retain its parity in the ERM for at least two years before it

can join the third and final stage of EMU. Legally, Spain and Portugal have therefore missed the opportunity to join in January 1997.

Of the other Mediterranean countries, Greece has never been a member of the ERM and Italy was ejected from the system (along with Britain) on Black Wednesday in 1992. Although Portugal and Spain are still part of the ERM, they are on a slippery slope. Unless they can reassert their credibility over their determination to cut the budget deficit, the financial markets will assume and ensure that the peseta and the escudo will come under renewed pressure.

For Spain and Portugal the ERM works only in its stone-age guise as a system to ensure "orderly" devaluations against the mark. But the ERM's prime objective, currency stability, has so far eluded the south, and remains confined to only a hard-core of northern EU countries.

The two year ERM-waiting period would also apply to Britain, if Britain wanted to join the single currency in

1999, currently the most likely date for the third stage of EMU. If Britain wanted to join then, sterling would have to re-enter the ERM no later than January 1997.

In Madrid and Lisbon yesterday, government spokesmen admitted that the chances of their countries joining a single European currency, even in 1999, now looked unlikely. In Spain, the Catalan nationalists said they would maintain their support for the minority Socialist Government in spite of its inability to inspire any confidence as it attempts ineptly to cope with a series of corruption scandals and a soaring public deficit.

In Barcelona, looking strained and tired, Felipe González, the Prime Minister, who once championed the EU and a single currency, appeared at a meeting of European socialists and tried to play down the latest disaster to hit his administration. "Generally you can't strictly say that this has been a devaluation but a re-alignment," he said. "We have lost value against the mark, but we have gained against the



Spanish stock exchange traders anxiously scan computer monitor screens in their dealing room in Madrid yesterday after the peseta suffered a weekend devaluation of 7 per cent, its fourth fall in two and a half years

dollar in the past few weeks. This is the difficulty in understanding this strange situation that has devastated many currencies in the market.

"Imports in marks will be more expensive but those in dollars will be cheaper," he added. Analysts, he said, saw

benefits to the economy, to tourism and to exports in the move.

The devaluation is nevertheless expected to increase underlying year-on-year inflation, currently at 4.5 per cent and rising. But there are signs that the Spanish econ-

omy is gradually recovering with last year's GDP at 1.9 per cent.

In Lisbon, a Portuguese government spokesman said that the 3.5 per cent devaluation of the escudo would further improve the balance of trade with Spain and reduce

inflation, currently running at 4.5 per cent, with growth forecast at 1.5 per cent and unemployment around 7.0 per cent.

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Leading article, page 17
Business News, page 23

Bonn envoys take economy route to a global role

FROM ROGER BOYES IN BONN

GERMAN diplomats have been issued strict orders to fly economy class on all flights of less than four hours, to search out special fares and to surrender to the Foreign Ministry their "air miles".

All diplomats, irrespective of rank, are being urged to take the cheapest fare even when they are allowed to travel in business or first class. Secretaries have been advised to book their bosses' flights for weekends to benefit from reduced fares. Diplomats on long-haul trips may travel business class providing they stay for only a day or two; a longer trip obliges them to take cheaper fares.

The cutback underlines Germany's problems as it tries to take on a global role. Funds for diplomatic travel were cut by 15 per cent last year. In the past decade the

is playing host to President Kim Young Sam of South Korea, Paul Keating, the Australian Prime Minister, Chuan Leekpai, the Thai Prime Minister, and Lamberto Dini, the Italian Prime Minister. All hope for trade deals yet Bonn has little to offer. It seems to be retreating from any foreign policy based on large financial commitments.

The warning bells have been ringing since the return from the United States of Volker Rühe, the Defence Minister. In America, Herr Rühe learned that America is expecting the Europeans — that is, Germany — to shoulder the cost of any United Nations withdrawal from Bosnia. Estimates for this operation range up to \$40 billion (£24 billion). Germany's budget planners do not have even a fraction of this sum available. None the less, Germany is regarded as the paymaster. Instead of sending troops to the Gulf in 1990, Germany contributed about \$9 billion to the war effort. This time the war zone is in Europe and France and Britain consider that they are doing their bit with troops.

The financial restraints on foreign policy have intensified the quiet battle for control of the ministry. Herr Rühe is projecting himself as Germany's foreign policy architect by championing Nato's extension eastwards. But the Government has two foreign policy managers: Helmut Kohl, the Chancellor, and Klaus Kinkel, the Foreign Minister. At the edges, meanwhile, various Christian Democrats are nibbling away at the foreign portfolio. At the same time, budgetary restraints are exposing the weaknesses of Herr Kinkel's ministry. A permanent seat on the Security Council, one of Herr Kinkel's most cherished aims, could prove to be a very expensive commitment.



Rühe expected to fund Bosnia withdrawal

Foreign Ministry travel budget has risen by about £500,000, but during the same period 14 new German Embassies have been opened. Germany, eager to play a global leadership role, finds itself strapped for cash and singularly unprepared.

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This image shows a highly textured, black and white surface, likely the cover or endpaper of an old book. The texture is characterized by dense, horizontal, wavy lines and a prominent vertical crease or fold running down the center. The overall appearance is aged and worn, with significant contrast between the dark and light areas.

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Fears grow in South-East Asia

China increases military spending

FROM JAMES PRINGLE IN PEKING

CHINA yesterday announced an increase of 21 per cent in defence spending during the current year. The decision is likely to create fresh anxiety in South-East Asia, which is already nervous about recent Chinese moves over the disputed Spratly Islands in the potentially oil-rich South China Sea.

Despite the end of the Cold War, the proposed increase detailed by Liu Zongli, the Foreign Minister, in the second day of the annual meeting of China's large rubber-stamp parliament, the National People's Congress, would mean that military spending in China has risen for six years in a row, diplomats in Peking said. In 1994, defence outlay rose by 22.4 per cent.

At the opening session of the congress on Sunday Li Peng, the Chinese Premier, told almost 3,000 delegates that China's 3 million-strong People's Liberation Army should

"make further efforts to become a revolutionary, modern and regular army with increased combat effectiveness and defence capabilities".

Envoys in Peking say the PLA has been looking overseas — including Israel — for more advanced weapons systems.

Early last month, China caused alarm in the Philippines region when it was revealed that its navy had erected what seemed to be military structures on Mischief Reef off Palawan island, in the Philippines' zone of economic influence.

The move appeared to be a Chinese military attempt to reinforce territorial claims in the South China Sea, most of which it maintains is Chinese territory.

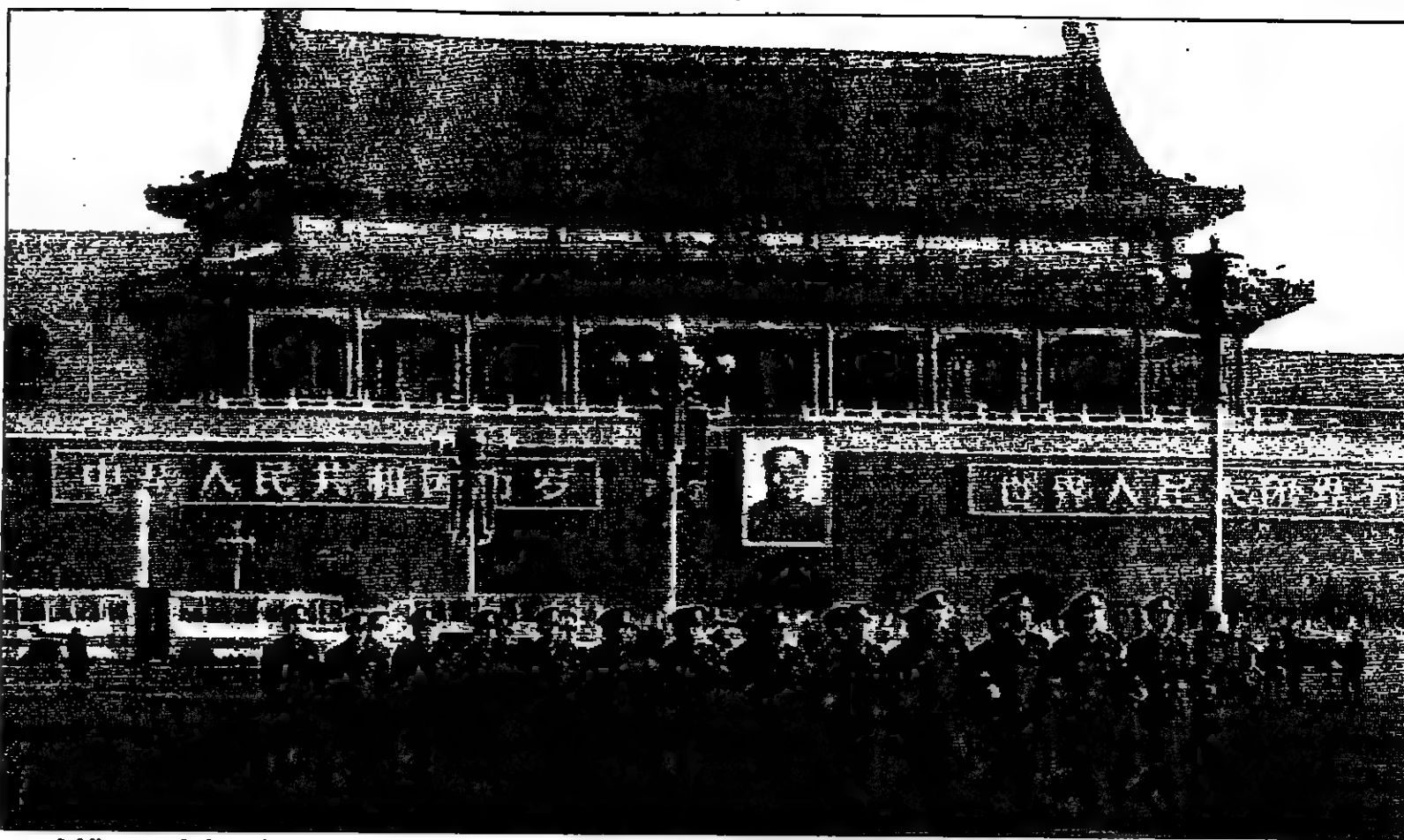
With energy needs increasing along with the population, oil supplies are falling behind in China, which two years ago became a net importer of petroleum for the first time.

Peking, diplomats say, is likely to try to grab any significant oil discoveries in the South China Sea.

However, foreign envoys said last night that there appeared little cause for alarm in the Government's new budget proposals, because the planned increase in military spending to \$7.5 billion (\$4.6 billion) was less than the level of inflation.

The daily food allowance of Chinese soldiers was at present only about \$0.54 cents, they said. The PLA, one diplomat noted, needed to take care of infrastructural matters like barracks. "They need a lot of funds to improve the living standards of their soldiers," said one Western military attaché. "We have to take that into account."

Diplomats say, however, that not all military spending is included in the budget. Sales of military goods and technology to other countries, and local sales of other prod-



Soldiers march through Peking's Tiananmen Square yesterday. The People's Congress is being held in the adjacent Great Hall of the People

ucts from army factories, could contribute to upgrading military hardware, though some of the funds received would go directly to factories making advanced weapons.

Sales of these have caused concern in the American Administration.

The 1995 draft budget set out yesterday also included an increase in spending on agri-

culture. It has fallen behind during China's rush to modernisation which followed the free-market economic reforms introduced in the late Seventies by Deng Xiaoping.

90. China's ailing senior leader, Chinese officials say that faltering growth in agricultural production was a key contributor to China's unofficial — but realistic — inflation rate

of 24.4 per cent last year. The national budget proposals also urged local authorities to try "every possible financial means" to increase investment in farm productivity.



President Jiang Zemin, left, confers with Premier Li Peng, centre, and Vice-Premier Zhu Rongji yesterday, the second day of parliamentary proceedings in Peking

Lawyer to sue Chinese police

BY JONATHAN MIRSKY
EAST ASIA EDITOR

A CHINESE former policeman is suing his colleagues for false arrest. In a country where the law has only recently permitted citizens to seek redress from the authorities, a policeman has done what Wang Jiaqi intends.

Mr Wang, 35, was a policeman for eight years in the northeastern city of Tianjin, before managing to enrol at Peking University, as a law student.

After graduating, he became involved with the free trade union movement, which the Communist party regards as the most dangerous dissident group, potentially representing 70 million low-paid industrial workers. In the spring of 1994, Mr Wang claimed at Columbia University where he is a visiting scholar, he was "kidnapped" by the police and held without charge for 23 days. Taking advantage of some sympathy from his former colleagues, he escaped and made his way to New York.

"China's road to democracy is a long and difficult one," Mr Wang said. "After at least 100 years, everyone needs a rest. But before we can have democracy, we need a system based on justice and law. That's why I'm going to sue the police." He said, however, that judicial independence was a basic legal problem.

Mr Wang is considering returning to China. Legal authorities in America and London fear he may be arrested and imprisoned, or deported. He knows the odds are against him, but remains determined. "In imperial times even the emperor sometimes admitted they made mistakes. In my case, that's what I want the state to do."

Democracy parties triumph in Hong Kong

FROM JONATHAN BRAUDE
IN HONG KONG

PRO-DEMOCRACY parties swept to victory yesterday as the last results from the weekend's municipal council elections gave them 31 of Hong Kong's 59 constituencies against eight for the Democratic Alliance for the Betterment of Hong Kong, the main pro-Peking party.

The poll was the last fully democratic election to be fought in the colony under British rule and only the second in Hong Kong's 153-year history. All the parties agreed it was an important training and testing ground for the more important, but not fully democratic, election for the Legislative Council in September.

But the future of democratic developments remains obscured by China's threat to dissolve all three tiers of elected government when it takes control of Hong Kong in July 1997. Peking's dispute with Britain over the attempts of Chris Patten, the Governor, to broaden the franchise for the Legislative Council has sharply divided opinion here between those favouring democracy over co-operation with China and those putting a premium on a good relationship with Peking.

The election claimed its most prominent victim in British-born Elsie Tu, 81, who had fought for democracy and the rights of the poor from the moment she arrived in Hong Kong as a missionary in 1951. She had joined the pro-China camp in outrage over Mr Patten's handling of the debate about constitutional reform.

She at first stood as an independent but, in a determined last stand against the democracy juggernaut, she accepted the backing of the pro-China groups in a bitter personal electoral battle against her former ally, Szeto Wah, a charismatic pro-democracy activist. Commenting on his victory over her, Mr Szeto said: "It shows China should listen more to the people of Hong Kong."



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Croatia offered trade package to toe line on peace

By MICHAEL BINYON, DIPLOMATIC EDITOR

EUROPEAN Union Foreign Ministers yesterday agreed in principle to conclude a new trade and co-operation agreement with Croatia, but said that negotiations could not begin until President Tudjman had agreed to renew the mandate of the United Nations troops in the former Yugoslav republic.

The Brussels meeting decided to step up diplomatic inducements to Croatia to prevent the withdrawal of 12,000 peacekeeping troops, who have been ordered to leave by the end of the month. The 15 ministers gave a warning that if the issue was not resolved, fighting could quickly erupt between Serbs and Croats all along the ceasefire lines.

Their fears coincided with a sombre warning in London yesterday by Irian Ljubijankic, the Bosnian Foreign Minister, that all-out war could return to Bosnia because of the failure to make any headway. "As you know, the clock is ticking," he said at the start of a two-day visit to Britain. "We are dangerously close to resumption of all-out war. At the moment we have a kind of diplomatic vacuum."

Mr Ljubijankic will today meet Douglas Hogg, the Foreign Secretary, and Douglas Hogg, the Minister of State, to discuss the impact over the refusal by President Milosevic of Serbia to recognise Bosnia and Croatia. "The only language Milosevic understands is force," he said yesterday. He called for a reintroduction of UN sanctions on sport, communications and culture, and

Brussels. In the sharpest rebuke to Moscow yet over the Chechnya war, European Foreign Ministers yesterday put a wide-ranging trade agreement with Russia into cold storage (George Brock writes). The French, German and Spanish ministers will tell President Yeltsin this week that the deal will not be signed until the EU is convinced Russia is negotiating to end the war and allowing aid agencies to help half a million refugees.

said only a lifting of the international arms embargo on Bosnia would have a decisive effect on Serbia.

The European pressure on Croatia came amid speculation that the United Nations is looking for a formula that would allow the bulk of the UN Protection Force to remain, with only a cosmetic adjustment to their mandate and strength. There has been talk of splitting UNPROFOR into separate forces for Croatia, Bosnia and Macedonia, and this might persuade President Tudjman to accept their continued presence.

Yasushi Akashi, the UN special envoy in former Yugoslavia, was angered by Dr Tudjman's order to leave, and gave a warning that if the UN withdrew, it would move its headquarters from Zagreb — with significant economic losses to the Croatian capital. Mr Akashi yesterday also warned Radovan Karadzic, the Bosnian Serb leader, that a continued blockade of medical

supplies in Bosnia could lead to indictments by the UN tribunal investigating war crimes in former Yugoslavia.

His warning, in a letter to Dr Karadzic, came as the Bosnian Serbs threatened to step up their blockade of three besieged Muslim enclaves in eastern Bosnia. The Bosnian Serb troops have prevented medical convoys reaching Srebrenica, Gorazde and Zepa to reinforce their demands for an increase in humanitarian aid to Serb-held territory.

UN military officials said yesterday that any withdrawal of UN troops from Bosnia would be a dangerous affair. The UN is preparing for an upsurge in fighting and is making contingency plans for the evacuation of its forces.

Today, the envoys of the five-nation Contact Group will meet again in Paris to try to avert a new war. At their previous meeting last Thursday, also in Paris, they made scant progress in their search for a way to persuade President Milosevic to back their plan for peace.

The Contact Group — made up of the United States, Russia, Britain, France and Germany — fear that fresh fighting in Bosnia once the truce, brokered by former Jimmy Carter, the former US President, last December, expires on May 1. "It's a question of getting all hands on deck," a British official said. He added that Richard Holbrooke, the US Assistant Secretary of State, was taking a "robust message" to Dr Tudjman in Zagreb in another effort to persuade him to revoke his decision.



A Sudanese delegate applauds at the opening ceremony of the Copenhagen summit, attended by 120 world leaders and 1900 delegates

UN urges leaders to tackle social injustice

By CHRISTOPHER FOLLETT
IN COPENHAGEN
AND LUCY BERRINGTON

THE United Nations yesterday made an impassioned call to world leaders to act urgently against poverty and social injustice.

Boutros Boutros Ghali, the Secretary-General, opening the Summit for Social Development in Copenhagen, said 1.3 billion people suffered from grinding poverty as a direct result of war and it was in the interests of their governments to care for them.

"We know today that most of the armed conflicts, with which the United Nations is faced, are domestic. We also know that most of them have evident social and economic causes," he added. "We must state yet again the clear link between the promotion of



development and the preservation of peace."

The summit, involving about 120 world leaders and more than 15,000 delegates from 180 countries, has set itself lofty goals, such as eradicating world poverty and social injustice, combating unemployment and establishing social stability in the post-Cold

War age. Dr Boutros Ghali said that 1.5 billion people did not have access to basic health services, and that 70 per cent of the world's poor came from the ranks of women.

"The first step in the fight against social alienation must be directed against greed and indifference," he said. "Tolerance, solidarity and action are needed to overcome the social discrimination which exists throughout the world."

An opinion poll published in the Danish daily newspaper *Politiken* showed that three out of four Danes doubted that the week-long summit would achieve tangible results in bridging the gap between the world's haves and have-nots.

But Poul Nyrup Rasmussen, the Danish Prime Minister, called the meeting "a summit of hope" and dismissed criticism that it was just another

UN talk-shop. "We are discussing real problems which concern all people," he said in his welcoming speech. Denmark is footing the £18 million summit bill.

Juan Somavia, the main organiser of the summit, also hit back at critics who alleged that the agenda was so ambitious that it would render it impotent. Señor Somavia, who is Chile's permanent representative to the UN, said: "In this summit, we are opening up issues that have never been discussed at all by heads of state. This would have been impossible during the Cold War, when all we got was an ideological debate between competing social systems."

Señor Somavia had proposed the summit in 1991 when he was chairman of the UN's social committee. He said government leaders had

been mesmerised by the Cold War that they were unprepared for what followed, "an unexpectedly cold peace market by increased poverty, unemployment and social fragmentation."

He said: "The main message of the summit is the high political cost of inaction. We have to put people back into the picture. Social expenditure must increasingly be seen as social investment."

Señor Somavia envisaged the cost of new social policies being partly met by the reallocation of funds away from projects, such as infrastructure, that could be left to market forces. In addition, the UN is calling on financiers to follow the example of the Inter-American Development Bank, which has assigned 50 per cent of its loans to social projects.

Mafia 'a threat to Russia'

FROM RICHARD BEESTON IN MOSCOW

RUSSIA'S Security Council warned yesterday that organised crime had grown so strong that it posed a real threat to national security.

In a meeting chaired by President Yeltsin, ministers and advisers in charge of law enforcement agencies were reprimanded for failing to tackle what many regard as the most serious challenge to Russia's democratic institutions and economic reforms.

"Criminals going unpunished and the lack of tangible results from the battle against organised crime are discrediting state powers," Interfax reported sources as saying.

"As a result they are threatening the security of Russia."

Russia's criminal gangs have dominated public attention since last week's assassination of Vladimir Lashin, the television host shot dead outside his apartment in a suspected contract killing over television advertising fees.

His death prompted calls for a crackdown on organised crime and it seems likely that the authorities will be granted greater powers to monitor and detain suspects and seize their property.

However, many Russians were sceptical, particularly since similar promises were

made last year. Viktor Yerin, the Interior Minister, and Sergei Stepashin, head of counter-intelligence, and Aleksei Ilyushenko, the acting Prosecutor-General — who were criticised by fellow ministers yesterday — have been accused regularly of gross incompetence.

The only steps taken since the murder have been the dismissals of Genadi Ponomarev, the prosecutor, and Vladimir Pankratov, the police chief. However, many fear the sackings have more to do with a power struggle between the Kremlin and Yuri Luzhkov, Moscow's Mayor.

Climate pact loses credibility as temperature rises

By NICK NUTTALL
ENVIRONMENT CORRESPONDENT

THE climate change convention, agreed by 166 nations in an attempt to tackle global warming, has become an international farce with few countries taking its aims seriously, according to the World Watch Institute, a Washington-based think-tank.

The institute made its claim as nations prepare to meet in Berlin this month to discuss further cuts in emissions of carbon dioxide, the gas

linked to global warming. It also follows devastating floods in Europe, rising world temperatures and the disintegration of Antarctic ice sheets, which observers believe may be signs of the Earth heating up.

Tomorrow, the Government is expected to publish figures claiming that Britain will meet its emission targets by 2000, despite the fact that tactics to control emissions have failed.

Critics claim that the Government forecasts are farcical and based on figures prepared by the Department of

Trade and Industry that are questionable. Britain has promised to stabilise emissions at 1990 levels by 2000. In 1989 this represented a 21 per cent reduction, but in 1992 this was revised to 6 per cent. The latest estimate will claim no more action is needed.

Andrew Warren, of the Association for the Conservation of Energy, said: "From talk about tough changes in lifestyles and energy use, they are suddenly turning around and saying 'We have solved it'. It is not logical."

The World Watch Institute claims that nearly all the nations which signed the convention in Rio de Janeiro three years ago have been backpedalling. It claims that America, which has emissions five times the per capita world level, will miss the targets.

Third World countries have resisted even symbolic measures since they give low priority to climate issues. But their emissions are increasing at more than five times the rate of industrial countries and last year China was the second in emissions, behind America.



With lamps attached to their heads and accompanied by flute players, almost 100,000 Swiss took to the streets to celebrate the Basle carnival in complete darkness at 4am yesterday (Sharmila Devi writes). The event, known as "Morgestraich", literally morning joke, started a three-

day spring festival when bars stay open all night and revelers take to the streets at all hours while business shuts down in the otherwise staid town. The event is the culmination of year-long prepara-

tions for the moment when, in the early hours, street lights are extinguished and participants wearing hand-made costumes and masks play music and bang drums as they march through the town chasing away evil spirits. The festival is one of many hosted by Basle since the city was granted a licence to stage trade fairs in 1471. It also serves as an excuse for local politics. This year included protests against the imposition of VAT on items including restaurant meals.

chasing away evil spirits. The festival is one of many hosted by Basle since the city was granted a licence to stage trade fairs in 1471. It also serves as an excuse for local politics. This year included protests against the imposition of VAT on items including restaurant meals.

Barre pulls out of race for Elysée

FROM ADAM SAGE
IN PARIS

RAYMOND BARRE, France's former centrist Prime Minister, yesterday ruled out standing for the presidency, thus paving the way for his mentor, Valéry Giscard d'Estaing, to enter the race.

However, if M Giscard d'Estaing is greatly tempted to run, his difficulties were exposed by M Barre's announcement.

"The conditions do not appear at the moment to be right for implementing the policies that I believe necessary," said the man who served as M Giscard d'Estaing's Prime Minister between 1976 and 1981.

As commentators pointed out, the same logic applies to the former President.

The two men have been playing cat-and-mouse with the French electorate since Christmas, but yesterday in stepping aside, M Barre said: "I do not want to complicate a complex and confused political situation."

CIA agents in France were 'more Clouseau than Bond'

FROM ADAM SAGE IN PARIS

THE CIA emerges as ham-fisted and ill-informed according to a leaked account of its vain attempts to spy in Paris.

American agents asked basic questions, fell into obvious traps and committed a series of gaffes as they sought access to the workings of the French Government, according to the newspaper, *Le Figaro*.

The disclosures come a fortnight after Paris confirmed that five alleged US spies had been asked to leave France, sparking a diplomatic crisis between the two countries.

According to the DST, the French counter-espionage agency, the CIA wanted information on the agricultural and cultural issues that dominated arguments between France and the US during the 1993 General Agreement on Tariffs and Trade negotiations.

But the American operation appears to have owed more to Inspector Clouseau than James Bond. One of the CIA agents, named as Mary-Ann Baumgartner, thought she

had a direct line to the French state when she made friends with "Henri", an adviser to Edouard Balladur, the Prime Minister. In fact, Henri had been alerted to Mrs Baumgartner's role by the French Interior Ministry and told to act as bait.

Resigning as M Balladur's adviser just 12 days after his appointment in April 1993, Henri explained to Mrs Baumgartner that he had decided to concentrate on his own political career. She, apparently, believed his story and asked him to meet the "head of the Minnesota cereal lobby" in a hotel near Charles de Gaulle airport. Henri obliged, answered the "lobbyist's" questions and was given 5,000 francs (about £600).

There were four more interviews between Henri and the man from Minnesota, named as Pastor, who took to arriving with a questionnaire.

Each time, Henri filled in the answers — which he gleaned from the French press or made up, *Le Figaro* says.

In January last year, Pastor introduced Henri to a woman described as "the big boss".

She earned a measure of respect from her French counterparts, making it difficult for then to photograph her and revealing little about herself.

Nevertheless, she was identified as a "high-ranking" CIA analyst. Among other things, she asked Henri why France was so worked up about cultural issues when "a majority of films on French television are American", — a curious question from a Minnesotan agricultural lobbyist.

Henri was pulled out of his counter-espionage role at that stage, yet, *Le Figaro* says, it is not clear why this should be made public 15 months later.

The US administration is convinced that the disclosures were to distract attention from the difficulties which M Balladur is encountering in his Presidential campaign. If so, the attempted manipulation was almost as incompetent as the original CIA operation.

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France angers West by opening mission in Iraq

By MICHAEL BINYON, DIPLOMATIC EDITOR

FRANCE yesterday opened a diplomatic mission in Iraq as Britain and other Western Governments were considering a possible United Nations resolution that would facilitate the sale of Iraqi oil to raise money for humanitarian relief.

Iraqi officials clapped and cheered at a reception in the old French Embassy where four French diplomats welcomed a senior Iraqi official at the opening of the French interests section. Jean-François Nodinet, the head of the diplomatic delegation, told Abduljabbar al-Douri, the under-secretary at the Iraqi Foreign Ministry, that the reopening of the mission, under the Romanian flag, signalled "a new stage in the history of relations between Iraq and France".

The French initiative has angered France's Western allies. The Foreign Office refused to comment yesterday, but drew attention to a tart statement last month when it said that this was not the moment to relax the pressure on Saddam Hussein. Washington is even more annoyed: Madeleine Albright, the American Ambassador to the UN, has just completed a tour of seven Security Council members to galvanise support for Washington's tough line against any relaxation of sanctions against Iraq.

Britain has been Washington's strongest supporter. But diplomatic sources say that there is a growing feeling

among the Western allies that the conditions attached to the 1991 Security Council resolution, allowing the limited sale of oil, should be relaxed to persuade Saddam to resume oil exports. He has refused to do so, denouncing the conditions attached to oil sales as an unacceptable infringement of Iraqi sovereignty.

The resolution allows Baghdad to sell \$1.6 billion (1987 million) in oil, with some of the profits being impounded to pay for the UN weapons inspection teams and the rest being set aside as reparations to Kuwait and the victims of the Gulf War. Iraq would be allowed to keep \$1 billion to buy food, medicines and humanitarian aid.

The allies are increasingly

angered by Saddam's refusal to agree to these conditions. Not only does he present to the Arab world the starvation and plight of Iraqi children as a direct result of Western sanctions, but without any oil income, there is no money that the UN can use to pay for its expensive monitoring programme and the aid programme for the Kurds.

Western allies are considering relaxing the condition that the UN can use to pay for its expensive monitoring programme and the aid programme for the Kurds.

Whitehall officials yesterday spoke of "repackaging" Security Council resolutions to

allow limited oil sales, and informal discussions have been held in New York between Iraqi and Western diplomats.

This proposal could blunt the calls by France and Russia for an immediate lifting of sanctions. Both countries have argued that Iraq has fulfilled the conditions laid down by the UN on scrapping weapons of mass destruction, and should not be cut off from the world indefinitely.

Iraq made much of the French decision to re-establish a presence in Baghdad. Mr Douri said his Government sought to "restore relations to their former level".

□ Baghdad: Muhammad Said al-Sahhaf, the Iraqi Foreign Minister, embarked yesterday on a tour of UN Security Council member states, starting with Nigeria, to muster support for lifting the embargo.

Mr Douri said that the minister would visit Lagos, and non-member states, but he did not name the countries. "Iraq will carry on its diplomatic offensive in both the East and the West... and will knock on all doors to break the embargo," he said, adding that support was growing.

On Saturday, Tariq Aziz, the Deputy Prime Minister, ruled out hope that the Security Council would ease the four-year-old sanctions at its next review. He said that the UN would wait for a report on Iraq's progress on disarmament, due on April 10. (AFP)

Talks focus on fate of Palestinian refugees

FROM CHRISTOPHER WALKER IN JERUSALEM

ISRAELI and Arab leaders will today discuss for the first time one of the most explosive issues in the fragile Middle East peace process — the future of large numbers of Palestinian refugees displaced during the 1967 Six Day War, and their families.

Differences on the issue are formidable. Arabs say the future of about 800,000 people is at stake. Israel puts the number at no higher

than 200,000, and says no decision has yet been taken on their right to return to what is now the occupied West Bank and Gaza Strip.

Shimon Peres, the Israeli Foreign Minister, will attend the talks in the Jordanian capital, Amman. Nabil Shaath, a member of the new Palestinian Authority, and the Foreign Ministers of Egypt and Jordan, will also be present.

Gingrich's lesbian half-sister tackles 'intolerant' Right

FROM TOM RHODES IN WASHINGTON

CANDACE Gingrich, the lesbian half-sister of Speaker Newt, took the gay cause to the very heart of Capitol Hill yesterday, pitting herself against the most radical members of her brother's Republican leadership.

Ms Gingrich, a 28-year-old computer technician from Harrisburg, Pennsylvania, is spearheading a lobbying campaign to preserve money for Aids programmes on behalf of the Human Rights Campaign Fund, America's largest gay and lesbian political group. The fund is also seeking legislation to protect homosexuals from discrimination in the workplace, including the military, and what it calls "hate legislation" from Jesse



Candace Gingrich: aims to preserve Aids budget

Helms, the North Carolina senator, and other homophobic Republicans, notably from the Christian Right.

The younger Gingrich has made no plans to visit her relative — they have the same biological mother — and, indeed, said she had not discussed her homosexuality with him. "We don't talk that much anyhow," Ms Gingrich said. "I don't know if he's spoken with my mom about it." Asked if her half-brother was anti-gay, she said no, "just maybe uninformed".

She first discussed her sexuality eight years ago and was nationally "outed" when Newt Gingrich was elected to the most powerful position in the Capitol. According to a gay

Washington newspaper, Mr Gingrich has consistently voted against gay issues. In an interview with the *Blade* last November, he promoted tolerance towards homosexuality, but added: "It is madness to pretend that families are anything other than heterosexual couples."

His sister said such "tolerance" was not enough and accused the Speaker of discrimination. "For him to say we should be tolerated still allows for us to be fired merely for being gay or lesbian, and that's not tolerance, that's discrimination," she told *The New York Times*. "I want him to understand that discrimination is wrong." She emphasised that they were not seeking special treatment, but that Americans ought to realise that they were being discriminated against every day.

Steve Gunderson, a gay Republican representative from Wisconsin, said Mr Gingrich had been personally supportive. "Newt is much more conservative than I am," he said. "I am going to be much more comfortable with government solutions than he is. That doesn't mean he is anti-gay." He added that House leaders had assured him that most Aids programmes would be approved again in the coming year.

Ms Gingrich said her elder sibling was more concerned about her being a Democrat who supports abortion and gun control than her status as a lesbian. On that basis, the fund chose her as a chief lobbyist this week in the hope that her high profile might win support in Congress for measures to shield Aids funds from any budget cuts.

While Mr Gingrich is unlikely to attack his half-sister, it remains to be seen whether the Republicans can maintain their silence on one of several social issues that could divide the party. Dick Army, co-author of Mr Gingrich's *Contract with America*, publicly apologised recently after referring to Barney Frank, the outspoken gay Democrat, as "Barney Fag" — a sign that anti-gay sentiments are barely beneath the surface.

NEWS IN BRIEF

Turkey aid deal hinges on rights

Brussels: As a trade and aid deal was agreed last night, EU Ministers warned Turkey that ties will only develop if its human rights record improves (George Brock writes).

The agreement has yet to be cleared by the European Parliament, where MEPs have threatened to block it.

Half apology

Johannesburg: Winnie Mandela, estranged wife of the South African President, has written to him complaining that her apology for criticising the Government was written by "you to yourself".

Angolans drown

Luanda: At least 52 Angolans, including many women and children, were drowned and more than 100 were missing after a coaster ran aground about 160 miles south of here. About 45 survived. (Reuters)

Mafia killings

Catania: A gunman shot dead three men near the Sicilian town of Catania in a Mafia ambush, police said. The shootings, before witnesses, were in the suburb of Gravina di Catania. (Reuters)

Coup foiled

Lagos: An army plot to topple General Sani Abacha, the Nigerian military ruler, has been uncovered and at least 150 officers are being questioned, local magazines have reported. (Reuters)

Saving turtles

Wellington: Twenty-six Pacific nations launched a campaign to save the marine turtle from extinction, calling for a ban on the sale of its meat, oil and shell. Six species are endangered. (Reuters)

Speaker silenced

Seoul: South Korean opposition MPs barricaded the National Assembly Speaker and his deputy in their homes to prevent the ruling party from pushing through changes to electoral law. (AFP)

Britain in clash over Unicef

FROM IAN BRODIE IN WASHINGTON

BRITAIN and other members of the European Union are fiercely at odds with the United States over who should be the next director of Unicef, the United Nations Children's Fund.

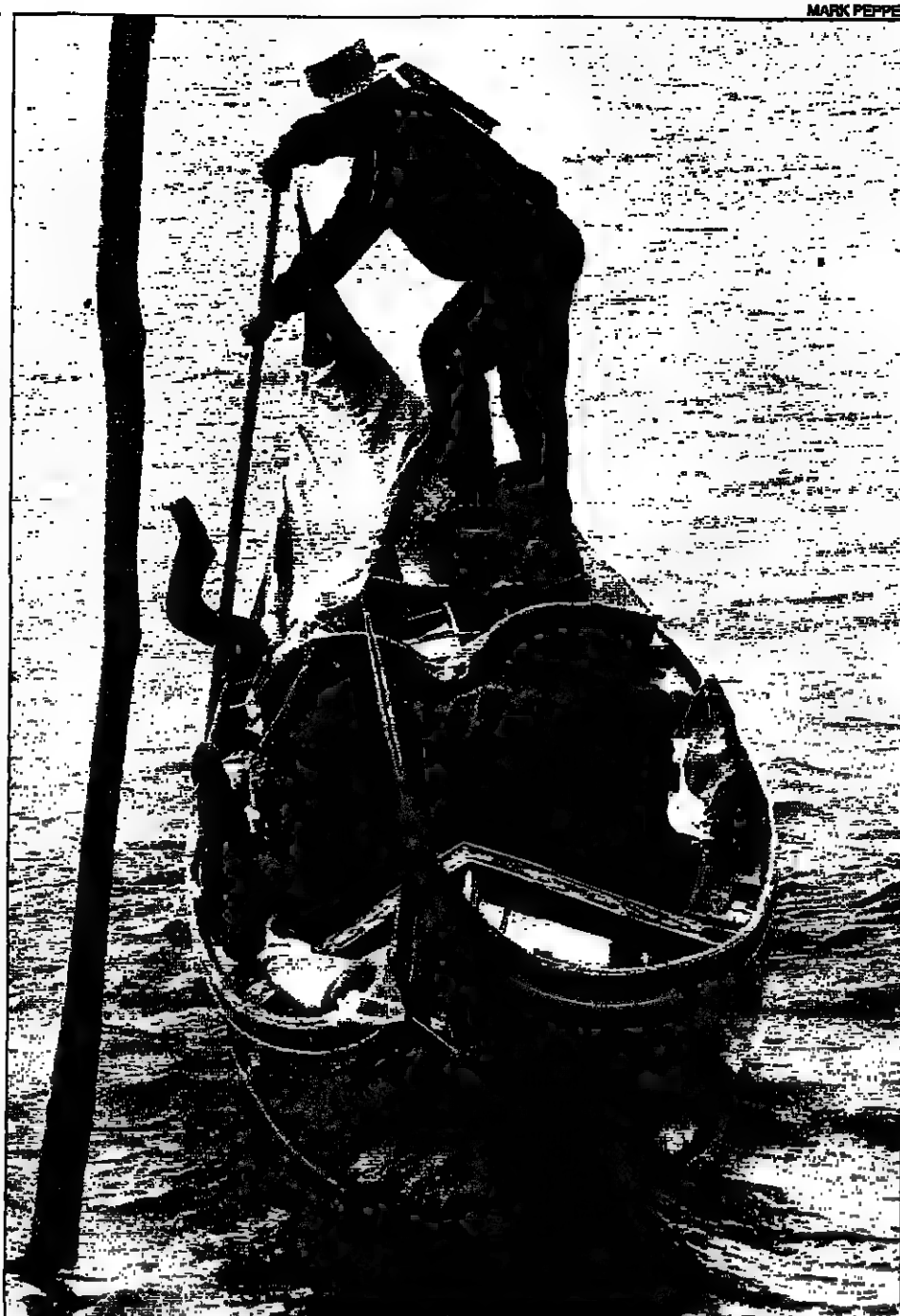
The post has been held by an American since the agency was founded in 1946, and the Clinton Administration had assumed that the tradition would continue after the death in January of James Grant. He had overseen Uni-

cef's programmes to help children in 138 countries for the past 14 years.

Washington's candidate to succeed him is William Foege, a distinguished epidemiologist who was a key figure in the global eradication of smallpox. He has done extensive work in helping poor countries to fight polio and promote immunisation. But Britain has weighed in on behalf of Richard Jolly, 60, a British economist who has

been an executive at Unicef since 1982, and is now the acting director.

However, not all of Europe is backing Britain's choice. The Nordic countries support Elisabeth Rehn, a former Finnish Defence Minister, and long-time proponent of Unicef. Belgium's nominee is Anne-Marie Lizin, a member of the Belgian and European parliaments and vice-president of the Socialist International.



Gondoliers are taught to row by their fathers, but their numbers have fallen as the city has become more expensive and many young men have left Venice for the mainland

Venice puts new gondoliers to test

FROM SARAH CUNNINGHAM IN ROME

THE next generation of Venetian gondoliers, who until now have needed only a health certificate, a clean police record and the ability to row in order to ply their trade, will soon need a special driving licence.

Aspiring gondoliers must apply by Friday for places on the first course starting at the end of the month. Candidates will study topics from navigation to the history of Venice and foreign languages.

The learned gondoliers will also have 30 hours, learning the difficult Venetian rowing technique. At the end of the course they will have to take both written and practical tests.

Maura Mingardi, secretary of the Gondoliers' Association, said that the introduction of licences followed a national law tightening up rules for all public transport operators. She said that the association saw it as a chance to improve the image of the gondoliers, who will become fully fledged guides.

"It is a chance for us to introduce new ideas," she said. All the students, who will be taught at the city's Barbarigo Technical School, would study two languages.

Traditionally, gondoliers have learned from their fathers. But the population has fallen as the city has become more expensive, and many young men have left.

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The Guaranteed PEP is a limited offer issue available from 6 March until 13 April and is the first of its kind to offer such a high guaranteed rate.

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Breast cancer patients have a right to the most advanced therapy, says Gwyneth Vorhaus

Why did I have to battle for the treatment that I need?

هكذا من الاول

Margot Norman on a heroic struggle for the truth behind a disaster



Marion Bayliss: with a portrait of her husband, Curly, the chief officer, who was lost with the *Derbyshire* 15 years ago — now Lord Donaldson is to investigate

When the *MV Derbyshire* went down, 15 years ago with all 44 crew in a typhoon off the south coast of Japan, it was Britain's biggest single shipping loss. The *Derbyshire*, a bulk carrier built by Swan Hunter on Tyneside, was only four years old, a well-maintained, expertly-crewed monster, 1,000ft long and the width of a motorway. Officially, we still do not know why she went down.

What we do know is that bulk carriers keep on going down at a terrifying rate. Nineteen of them sank last year. They account for nearly 60 per cent of total shipping losses, though they comprise only 7 per cent of the total fleet. Since 1971, more than 2,000 men have been lost on them.

How many of those lives could have been saved if the *Derbyshire* disaster had been more thoroughly investigated? This is the thought that haunts Marion Bayliss, whose black-bearded husband Curly was the ship's chief officer. He had given in his notice, and after the voyage the couple were going to run a children's home together. "At last!" she sighed, upon hearing yesterday that the Government has appointed Lord Donaldson to head an independent inquiry into what happened.

"All I want is for everybody to sit down and be honest," she said. "Then, perhaps even this tragedy will have a positive outcome for the future, and Curly and all the others will not have died in vain."

Mrs Bayliss believes that Lord Donaldson will find serious fault with the way the *Derbyshire* and four of the other five ships in her class were designed and built. In January, John Jubb, a respected former President of the Institution of Mechanical Engineers, gave a lecture entitled *Structural Failures of Bulk Carriers* in which he accused his whole profession of failing in its duty of safety. Even the

A fighter for those in peril on the sea

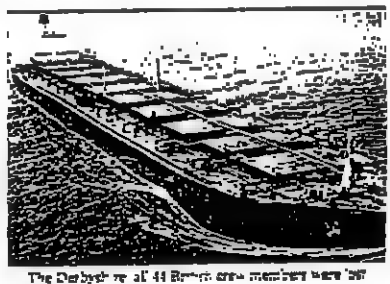
Wreckage offers clue to death of the *Derbyshire*

By Catherine Milton

WRECKAGE, 15 years on, the *Derbyshire* shipwreck still haunts Marion Bayliss. She has been haunted by the thought of why the ship went down with all 44 hands.

The bulk carrier *Derbyshire* sank in a typhoon off the south coast of Japan, 15 years ago. The vessel was 1,000ft long and the width of a motorway. Officially, we still do not know why she went down.

The ship was carrying 44 crew members and 1,000 tons of cargo. The wreckage was found in 1980, but the investigation was inconclusive.



The *Derbyshire* at 44 hours after sinking. Crew members were lost

Department of Transport's own investigators drafted a report ten years ago blaming "total structural failure" — cracks in the structure that would have snapped the ship in two — for the loss of the *Derbyshire*. Their conclusion was mysteriously expunged from the final, inconclusive report.

This official obfuscation has kept Mrs Bayliss angry ever since. Her Christian faith and her job as a nursing sister in charge of intensive care for sick babies saved her from going mad as her teenage children reacted, almost inevitably, to their father's death by getting into trouble.

Then, in 1986, Radio 4 did a programme on the disaster.

Mrs Bayliss joined the families of other survivors in a campaign to get the investigation reopened. When a sister ship, the *Kowloon Bridge*, broke up in stormy weather in Bantry Bay, Ireland, the authorities agreed to a formal investigation into the *Derbyshire*.

Mrs Bayliss spent as much time as she could during the winter of 1987 sitting in Church House, Westminster, listening to the evidence. The experience made her even angrier.

"I felt the Wreck Commissioner had made his mind up from the beginning. He wouldn't allow evidence from

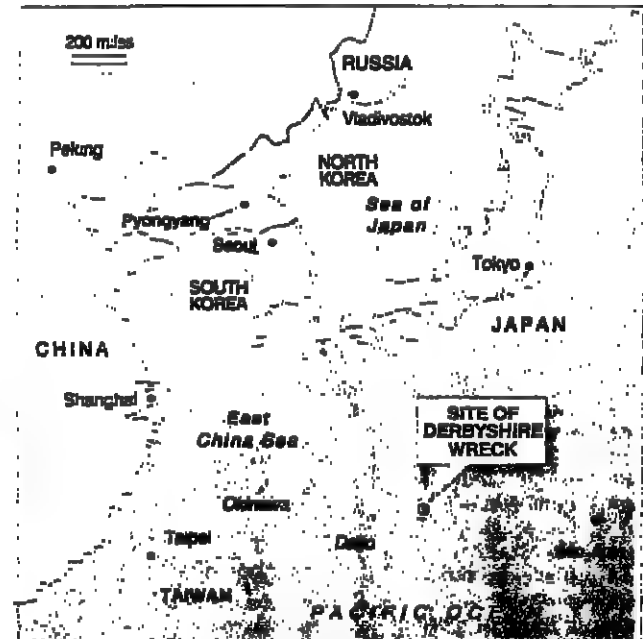
a highly reputable firm of naval architects who said there were faults in the design and building of these ships; he simply refused to look at previous reports. We wanted the plans for the *Derbyshire*, but they said they had been lost. They even said the Department of Transport's draft report had gone missing."

She believes that the problems of the *Derbyshire* and the other vessels were due to a misalignment of internal girders — a fault almost impossible to identify once construction was completed.

By the time the inquiry reported that the sinking was caused merely by bad weather, Mrs Bayliss was so ill she had to give up nursing. The

strain of working at night, rushing to London by day from her home in Corby, Northamptonshire, and caring for a mother-in-law with dementia brought on a rheumatoid illness. She walks with a stick and is in pain.

Evidence of the structural weakness of bulk carriers continued to mount, and last July the International Transport Workers' Federation funded a mission to search for the wreck of the *Derbyshire*. They found it, in pieces, two and a half miles below the surface near a speck of an island called South Daito. Here at last was evidence that would show whether, as numerous engineers now believe, the ship had snapped in half at



frame 65, the weak point where the barge section joins the stern section accommodating the crew.

Here, too, was a chance for Mrs Bayliss to bid farewell to Curly. When she set off for Japan, her son thought that she might throw herself into her husband's watery grave. The voyage was, though, a healing experience. With the flowers she cast into the sea went all the crippling, illogical guilt of the survivor. "I felt so much... lighter... suddenly. When I went to Japan I was part Marion, part Curly. I realised I had been carrying him on my back for 14 years. Now I was Marion again, and Curly was part of my past."

Back in Corby, Mrs Bayliss assembled the collection of harrowing, and impressive, poems she had written in a sequence ending with her cathartic visit to Japan. It was in a sense the end of her story — but the *Derbyshire*'s final chapter could be written only in the proceedings of an inquiry like the one to be led by Lord Donaldson.

As Mrs Bayliss points out, the loss of a bulk carrier in distant waters is scarcely reported unless there is a risk of oil spillage that might harm a few penguins nearby. "People say — yes, honestly, I've heard them say it — that most of the 2,000 men lost come from Third World countries, where life is cheap. As if those deaths didn't matter to somebody just as much as Curly's matters to me." She will not let Lord Donaldson rest, I am sure, until he has made the seas safer for mariners.

● Dispatches: Channel 4, tomorrow, 9pm.

The second extract from *Faith in the Future*, the new book by Dr Jonathan Sacks, the Chief Rabbi, will appear in *The Times* tomorrow.

Feel like cuddling a colleague?

Hugging has no place in an office — let's bring back the crisp handshake

Ho ho ho. What fun we're all having over the Green Party's exhortations about the right and wrong way to hug. The correct embrace between colleagues is, I'll grant, a daft idea. But we're all so busy chortling with ridicule, as we congratulate ourselves for being hardy enough to survive the sort of no-nonsense lusty encounters that make the delicate Greens wilt merely to consider, that we fail to see the real idiosyncrasy: I mean, what is everyone doing hugging each other in the office anyway?

Words like inappropriate have the smack of the New Age puritan about them these

days, but all this colleague-caressing that apparently goes on hardly seems appropriate behaviour to me. And one of the things that makes me suspicious about it is that — all the obvious and soon-to-flow revelations that will greet the release of *Disclosure* notwithstanding — it is always men who make a case for the respectability of physical displays of businesslike affection towards their female colleagues. You never hear a group of women moan about how unfair it is that they can't go up and hug the boys in bought ledger as and when they see fit.

On the whole, and sensibly enough, women do not want to go round flinging their arms around the men in the office. They are not having to restrain themselves. It is, frankly, not that tempting. Men, on the other hand, talk as if a little rub on the back there, a steering hand as one ambles, talking, down the corridor here or a physical demonstration of professional solidarity or admiration whenever the expansive mood takes one, is entirely natural. To thwart such behaviour or to talk of it as a "threat" is ludicrous or sad, depending on your point of view.

In a way, the men might be right here. Maybe it is entirely natural for men always to want to respond to women physically. Perhaps it is because men react to each

other with so little demonstrativeness that when they are with women, all their touchy-feeliness comes out in the open. They all want a cuddle from mummy.

Of course everyone has bought into the myth that to be uptight and English and unaffectionate is a Bad Thing. The stiff upper lip is a thing of the past: every last one is puckered up for the squishiest of embraces. And you just can't stop the middle classes kissing each other these days.

Now, I don't really mind who kisses me. I'm such a coward I'll do anything not to embarrass or offend, even if it means putting up with any

amount of inappropriate mawlings, but I do think the routine shows of phoney affection that we now seem to have adopted as a universal form of greeting are probably best left to actors and hysterics. Though I am entirely culpable here, too. I kiss anyone without thinking, simply because not to do so might be thought of as unfriendly.

The difficulty is that we prize informality so highly now. Whenever I make an effort to resist all the back-slapping and space-invading that we mistakenly take for warmth, and offer a

crisply held-out hand instead, I am met with near-annusment. "How formal you are!" is what I am told nearly every time. Even those who are too old to have been drowned in the wave of pseudo-Gaelic kissy-kissyness, and whose own day dictated a firm, enthusiastic handshake, have taken to administering a pincer grip — somewhere between a hug and a pinch — to the upper arm, I've noticed. But just to the girls, you understand.

All offices should be tense with the promise of illicit liaisons — that is really the point of them — but that is not to sanction too many overt expressions of affection between colleagues. The trouble is, everyone spends too much time in the office these days. Perhaps they should just get home more and start kissing their children instead.

The diagnosis we deserve

IN THE past few days, since I've been moaning — until this moment only privately — about being ill, I have noticed that although everyone seems to have exactly the same illness — sore throat, cough, temperature, rattling chest — everyone claims to be suffering from a different ailment.

So far I've been assured by various brave and sick friends that they've got Asian flu, a pneumonia bug, sick building syndrome fallout, and stress-induced collapse. My own doctor was kind enough to tell me I had an inflammation of the trachea.

You remember that when, in London, there used to be the *Evening News* as well as the *Evening Standard*, news-

paper vendors would pride themselves on knowing instinctively which paper the approaching customer read and would hand over, unasked, the correct copy? Well, I have a feeling that with *This Thing That Is Going Around*, as my ailment is probably more precisely described, doctors decide on a particular diagnosis that best suits the temperament or neurosis of the patient in front of them.

I am grateful for my inflammation of the trachea — which is why, no doubt, my doctor gave me it — because otherwise I would have to say I had flu, which in turn just sounds as if one's being a drama queen — or a man — about a having a cold.

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Business letters, page 27

Duty-free goods worth £20 with Le Shuttle and Linguaphone tapes, each for the price of *The Times*

20p deals to take into Europe

TODAY *The Times* looks across the Channel with its 20p promotions, offering bargains when you travel on Le Shuttle and a very special deal on Linguaphone language guides. Collect tokens from *The Times*, take a five-day break with your car on Le Shuttle and for the price of Britain's greatest newspaper you can buy a voucher which will give you duty-free goods worth £20. Le Shuttle is Britain's new route under the sea to Europe. Drive to the passenger terminal near Folkestone and you are assured of a quick and easy journey through the Channel tunnel.

In addition to your 20p duty-free goods offer you will also receive vouchers entitling you to half-price accommodation at more than 170 hotels in eight European countries.

You can make your trip more rewarding and enjoyable by learning to speak and understand the languages of the countries you plan to visit with the help of Linguaphone, the world's leading language tuition company. Collect the tokens which will be appearing this week and on Monday and you will be entitled to buy up to three Linguaphone Traveller's Guides, which normally sell for £2.79 each, for only 20p each.

Linguaphone Traveller's Guides are available in French, German, Italian, Spanish, Greek and Portuguese. Buy one or more and

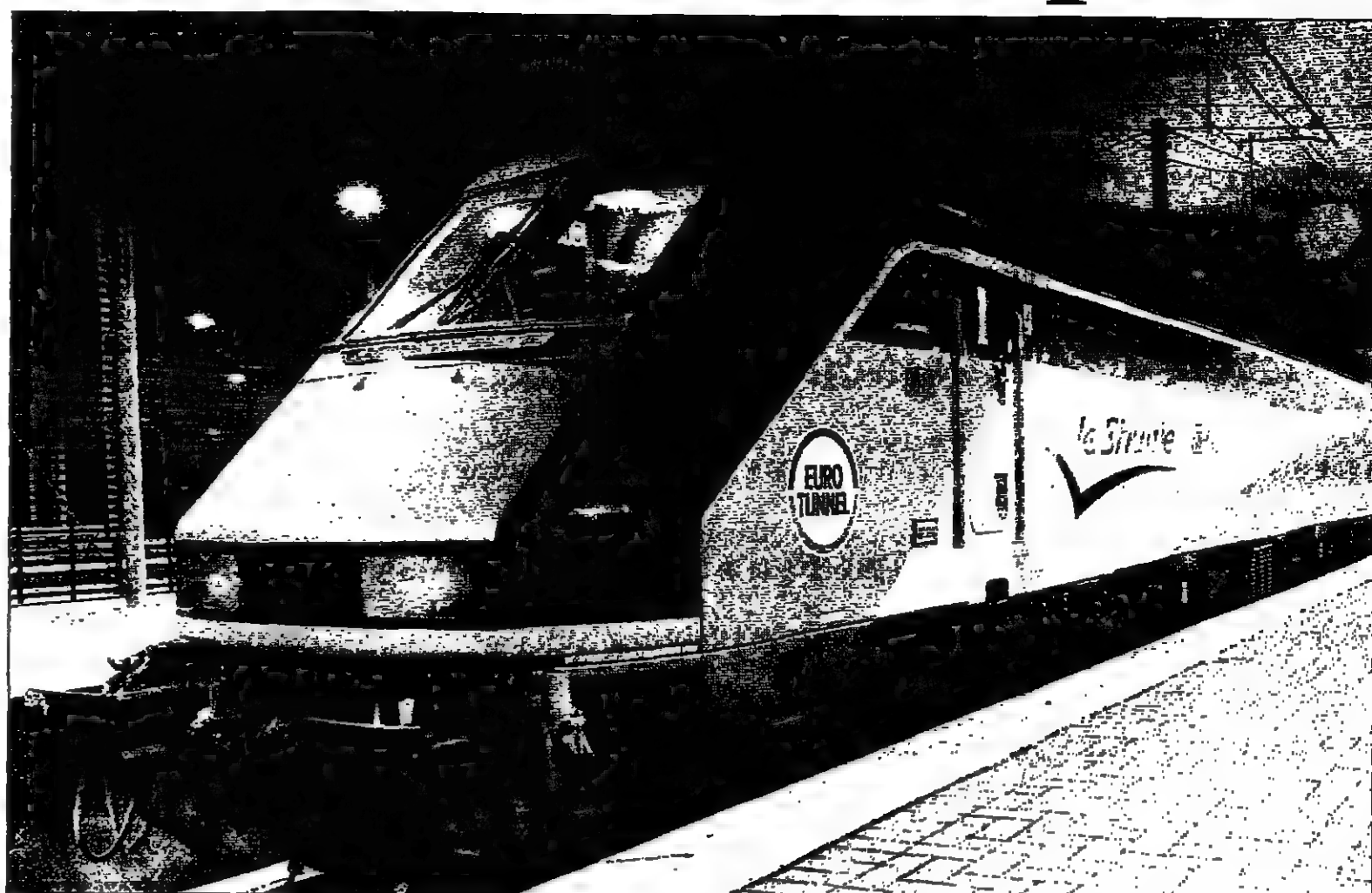
you will also receive a voucher worth £50 if you decide to buy a full language course.

Languages covered by the courses include Afrikaans, Arabic, Danish, Dutch, English, Finnish, French, German, Greek, Hebrew, Hindi, Icelandic, Indonesian, Irish, Italian, Japanese, Korean, Malay, Mandarin, Norwegian, Polish, Portuguese, Russian, Serbo-Croat, Spanish, Latin American Spanish, Swedish, Thai and Welsh.

There is still time for readers to book their holiday at a 30 per cent discount or qualify for a weekend break for 20p. The booking deadline for this recent offer, which included a huge variety of holidays from leading operators, has been extended to March 31, 1995.

For holiday brochures and details, call Cor & Kings on 0171-853 5005. If you have missed the tokens you can still qualify for the offer by sending four *Times* mastheads with your booking form.

Last week's audio books offer is still open. Buy one unabridged book from a list of 200 volumes and you can buy a second of up to eight cassettes for just 20p. For full details ring 0800 136 919. If you missed this promotion you can still participate by sending eight *Times* mastheads with your order.



Le Shuttle: a car and all passengers for £75 return, and for just 20p you can buy £20 worth of duty-free goods

Duty-free bonanza

THE first of this week's 20p offers brings you the opportunity to travel on Le Shuttle, the new and exciting route to France. Collect four of the six tokens which are appearing this week and next Monday, buy a Try The Tunnel break and you can receive £20 worth of duty-free goods for just 20p.

Eurotunnel's new service is the quickest and easiest way to drive to the continent and readers can enjoy exceptional value with this exclusive short break offer from EuroDrive. The spacious Le Shuttle passenger terminal at Folkestone features shops, restaurants, telephones, toilets, ample parking and, of course, the Duty & Tax Free Shop.

Stick up on a wide range of duty-free goods — wines, spirits, liquors, tobacco, perfumes or gifts — and *The Times* will take care of the first £20 of your bill for 20p.

All you need to do to take advantage of this great offer is to buy a short break return ticket (five-day duration for a car and all passengers) for

travel before April 30 1995 at £75 (the normal fare in April is £150).

You will automatically receive a pack containing your duty-free voucher with your tickets. The offer excludes travel on April 14, 15 and 16.

As a special bonus, readers of *The Times* will receive an accommodation brochure and two vouchers with every booking, entitling them and a guest to a 50 per cent discount on the standard rate for a twin or double room for up to three nights at more than 170 hotels in eight European countries.

Readers are not obliged to redeem these vouchers with the tunnel offer; they can be used at any time throughout the year and are ideal for either overnight stops on the way to a main holiday destination, or for a short break.

Many of the hotels are in the main sightseeing centres of France, Holland and Germany and they can also be found in five other European countries.

You book your chosen hotel

accommodation yourself. The maximum forward booking period is usually 14 days and the booking procedure is very simple.

Just choose the hotel in which you wish to stay and phone the number listed in the brochure (most of the numbers are UK central reservations numbers) and say that you would like to make a half-price Europe reservation. (Local numbers are also supplied so that bookings can be made while touring, subject to availability.)

In addition, readers can choose to take advantage of special savings on travel and motor breakdown insurance from Europ Assistance.

You are not obliged to take out insurance as a condition of this offer but you are recommended to do so. Motor breakdown insurance for up to five days is £22 and personal insurance cover is £8.50 per person.

Children under 14 are half price and infants aged up to three are given free cover.

Your 20p gateway to learning new languages

TO KNOW the country, first know the language. *The Times*, in conjunction with Linguaphone, the world's leading language company, now offers you that opportunity for just a few pence.

Buy one Linguaphone Traveller's Guide for £2.79 and you can buy another for 20p. If you then go on to buy a full language course you will receive a reduction of £50 on normal prices that start from £170 — and receive a free personal stereo.

The Traveller's Guide is the ideal way to familiarise yourself with the essential words and phrases you will need for

your next trip abroad. The guide contains a 70-minute bilingual language cassette which offers a good basic introduction to the language and is ideal for use in the car or on a personal stereo. With the cassette comes a words and phrases guide, featuring a printed list of the most important words and phrases in the cassette. In its convenient pocket-size form, the guide ensures you will always have the right phrase at your fingertips.

Traveller's Guides are available in French, German, Italian, Spanish, Greek and Portuguese.

A voucher worth £50 is included in the pack, redeemable against the purchase of one of Linguaphone's more detailed language courses.

The company offers a choice of 30 languages and a selection of course formats that includes tapes, CDs and videos. With a Linguaphone language course, you start speaking a new language from the first lesson. In as little as three months, after just 30 minutes' study each day, you could be speaking a new language with confidence.

There are no gimmicks, no complicated grammar rules or confusing lists of tenses; simply a proven practical method already used by more than six million people. With Linguaphone, you do not have to commit yourself to the restrictions of an evening class. You can study where and when it suits you, whether at home, commuting to work or in the car. Your "classroom" is wherever you feel most comfortable.

The success of this course is based on the proven Linguaphone method of "listen, understand, speak", which is

similar to the way a child learns to speak. Listening to Linguaphone tapes is a relaxing, involving way to learn and you quickly become familiar with the sounds and rhythms of the new language.

Once you are familiar with the spoken language, you begin to use the handbook. This provides a complete translation of all the words and phrases used.

Linguaphone has more than 60 years experience in the field and has taught millions of people to speak other languages. Your course is there for you to use as often as you like and you can share it with your family and friends, giving them the opportunity to acquire invaluable language skills at no extra cost.

You can listen to your course on any cassette player. But in case you want to study on the move or without disturbing anybody, when you order a full course you will also receive a free personal stereo.

All Linguaphone courses are covered by a full money-back guarantee, so you can try your course for two weeks and make sure it is right for you. If not, return it and you will receive a full refund.

To find out more about Linguaphone's range of language courses and its unique learning method, collect the tokens for the Traveller's Guide offer and send off for your two cassette packs. We will send you your guides plus full details of our £50 discount and free personal

stereo offer. You can also phone their Advice Line free on 0800 282 417.

Today and each day until next Monday, *The Times* is publishing a Linguaphone Traveller's Guide token, making six in all. Collect two tokens and you can apply for one guide at the full price of £2.79 and buy a second for 20p. Collect four and you can apply for two full-price guides and two for 20p each. Collect six and you can buy three full-price guides and a further three for just 20p each.

When you have collected the required tokens, complete the coupon below and send together with a cheque or postal order for £2.79 plus 20p for two guides, £5.58 plus 40p for four or £8.37 plus 60p for six.

How to book for Le Shuttle

1. Applications must be on the official *Times* booking form (photocopies are acceptable) and sent to *The Times* Try The Tunnel Offer, EuroDrive, The Broadway, 35 Crouch End Hill, London, N8 8DH, to arrive no later than ten days before your date of travel. You must attach four of the six special tokens which will be appearing this week and next Monday.

2. Return tunnel crossing travel must be completed by midnight on April 30, 1995.

3. All bookings are subject to restricted availability and spaces are offered on a first-come-first-served basis. If Le Shuttle cannot provide crossings due to lack of availability or service on the requested dates, we reserve the right to offer alternative dates. Readers allocated a crossing outside their first and second choice dates may cancel their booking without penalty.

4. Tickets for Le Shuttle are sold on an unreserved basis and the service is return-only. Le Shuttle has no facility to book specific crossings.

5. A maximum of 16 people may travel in each car, providing the number travelling does not exceed the manufacturer's recommended capacity. There is no length restriction but maximum height is strictly 1.85 metres, including any roof load. Motorcycles, cycles, caravans, camper vans, trailers, coaches, commercial vehicles and foot passengers cannot be booked.

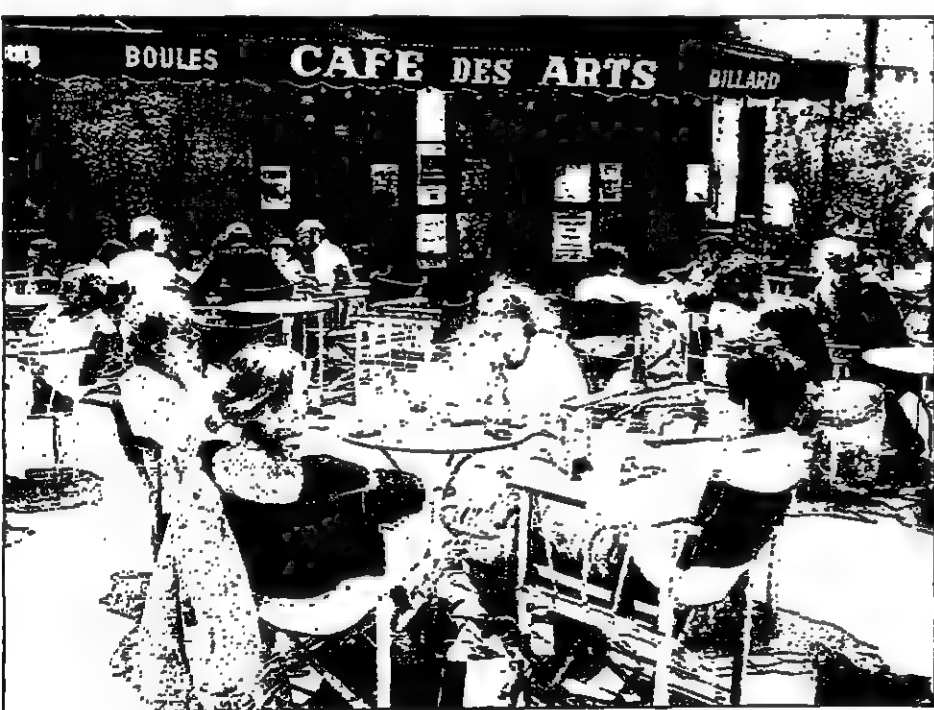
6. No responsibility can be taken for lost or damaged applications and proof of postage will not be accepted as proof of receipt.

7. The offer cannot be combined with any other offer, saving or discount scheme and is for return travel only. The duty-free vouchers issued as part of this offer are not transferable or exchangeable for cash, and are valid for redemption at the passenger terminal duty-free shop at Folkestone on the date of travel only.

8. Cancellations, alterations and amendments will be accepted only in writing by recorded post and a charge of £30 per booking will be made. Insurance premiums, where paid as part of this offer, are not refundable.

9. Tickets will be issued subject to Eurotunnel's standard conditions of carriage.

10. Each booking will receive a brochure containing two hotel vouchers along with the travel documents. Brochures cannot be supplied before booking. Each voucher entitles two people to a 50% discount off the normal rack rate on a twin or double room for up to three nights at any one of the featured hotels. Note that the Mercure Altea Hotels featured apply a three-



Café society: Le Shuttle can put you en route to the sunshine

cepted only in writing by recorded post and a charge of £30 per booking will be made. Insurance premiums, where paid as part of this offer, are not refundable.

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tier price band: low (white), shoulder (pink) and high (red). The half-price tariff is 50% of the shoulder (pink) price, but availability can include all price bands.

11. All hotel bookings must be made by readers directly with chosen hotels. The maximum forward booking period is usually 14 days. All bookings are subject to availability. The two vouchers can be used together to provide stays in the same hotel of longer than three days where applicable. Certain hotels have a minimum stay of two nights.

12. EuroDrive is a fully bonded member of Abta, number D1175. For further details, call 0181 342 8879.

As travelling for both business and pleasure increases, learning a language becomes more important. Many learn a new language using audio tapes and guides like those available on the Linguaphone courses.

Linguaphone has helped more than six million people learn a new language. The company operates in more than 60 countries and there

are now about 500 courses in 30 different languages.

The company was founded in the early 1900s by a Polish immigrant language teacher. It pioneered the use of Edison's sound cylinders, Bell's wax cylinders and the gramophone in teaching languages. In those early days, innovations included the Linguaphone "repeater", which enabled students to

position the arm of their gramophone on a groove to hear words again and again. The "solophone" meant students could listen through earphones without disturbing the rest of the household.

George Bernard Shaw praised the Linguaphone courses. Professor Higgins and Colonel Pickering used some of the techniques very successfully to improve Eliza

Doolittle's pronunciation in Shaw's *Pygmalion*.

Linguaphone now produces language courses for businessmen, students, travellers and children. The Linguaphone Traveller's Survival Guide is an easy way to familiarise yourself with all the essential words and phrases you will need to enjoy your next business trip or holiday abroad.

A history of bridging the divides

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EuroDrive Application Form

Please complete in block capitals

Name: _____

Address: _____

Postcode: _____ Tel (evening): _____

List all other members of your party:

Title/Initial/Name/Age _____

Car Make & Model: _____

Registration number: _____

I confirm that my vehicle is less than 1.85m high

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THE TIMES
TOKEN
ONE

LINGUAPHONE



LAW 31-35

Success and struggle in the second city



ARTS 36-38

No West End in sight for Susannah York



SPORT 39-44

Victory in Florida revives Faldo's major ambitions

TELEVISION AND RADIO
Pages 42, 43

THE TIMES

BUSINESS EDITOR Lindsay Cook

TUESDAY MARCH 7 1995

Societies look to Barings

THE Barings debacle may be the building societies' gain. Birmingham & Midshires, the 13th-largest society, is hoping to take advantage of the merchant bank's woes to seize a larger share of the local authorities' deposit market (Anne Ashworth writes).

It is expected that other societies will attempt to increase their local authority business, capitalising on what they see as the sense of unease that now surrounds the merchant banking sector, after Barings's collapse.

If local authorities start to prefer building societies, it would follow a trend set by the societies. Market observers said last week the societies were moving money out of merchant banks into gilts.

The Birmingham Midshires is offering two accounts to local authorities: instant-access and an offshore account, which became available on Saturday offering rates that increase by a fixed amount each year. The Halifax, Woolwich and the Cheltenham & Gloucester are other societies already active in this market.

Pennington, page 25



The men who put the ING in Baring: Aad Jacobs, ING chairman, centre, flanked by fellow executives Godfried van der Lugt, left, and Cees Maas, in London yesterday

French group sets sights on water firm

By MARTIN WALLER, DEPUTY CITY EDITOR

THE first takeover bid for one of the ten privatised water companies loomed yesterday after an offer was made for Northumbrian by Lyonnaise des Eaux.

But the French concern, which has yet to indicate what price it wishes to pay and which needs regulatory clearance first from British and EC authorities, ran into immediate hostility from MPs, unions, the water industry regulator, and Northumbrian itself.

Mike Taylor, Northumbrian's finance director, said: "We're happy as an independent company delivering on the strategy we have laid out to shareholders — we're not looking for somebody to help us."

The company said the approach was unsolicited and unwelcome. "There is an unacceptable absence of specific terms: it will create business disruption and expose shareholders, customers and employees to a prolonged period of uncertainty," it said.

The French group already owns North East Water, a statutory water company that supplies fresh water across most of Northumberland and in the cities in Tyneside and Wearside. Northumbrian supplies water and sewerage services. Lyonnaise wants to merge the two companies to provide cost savings and lower bills to customers. A combined group would have a customer base of 4.2 million.

The two companies were in tentative bid talks last year, but these failed to make any headway. The French concern says it proposes to make a

cash offer for Northumbrian on terms to be announced "following satisfactory outcome of regulatory review".

The news sent shares in Northumbrian soaring 128p to 870p. At this level, the company is worth just short of £600 million, but some City analysts were suggesting the French would, in due course, have to pay as much as £10 a share to gain control.

This cannot be until this summer at the earliest. The potential merger of two water companies triggers an immediate reference to the Monopolies and Mergers Commission, and such an inquiry will take at least three months.

Lyonnaise said it hoped eventually to reach agreement with the Northumbrian board, but would not rule out a hostile bid in due course. Jacques Petry, president of the group's international water division, said: "We have done it this way because of the very strict regulatory framework of the water industry. We wanted to clarify all the regulatory aspects before actually making an offer."

A spokeswoman for Ian Byatt, the water regulator, said a merger "could impact on his ability to carry out his statutory duties, because it would reduce the number of comparators that would enable him to make comparisons about efficiency, etcetera, and to set the relevant price limits". This would have to be balanced, in Mr Byatt's view, by corresponding advantages for consumers, in particular lower prices. Opposition MPs

were linking the French bid with Trafalgar House's unwelcome £1.2 billion onslaught on Northern Electric, also in the North East.

Brian Wilson, Labour's Trade and Industry spokesman, said the offer was "a predictable follow-on" from the Government's refusal to intervene in the Northern bid. "We are now into a period of Tory-sponsored open season on public utilities with the consumers' interests the least of participants' concerns."

Pennington, page 25

Managers' pay awards 'rising'

PAY awards for company managers are running at their highest level for two years, according to figures today that will add to the pressure on top-level corporate pay (Philip Basset writes).

Incomes Data Services says that against the backdrop of continuing economic recovery, pay awards to managers and professional staff in the private sector rose in the three months to January to 3.6 per cent.

This compares with an average level of awards of 2.9 per cent in the same period a year ago.

The survey of settlements for more than 160 managerial groups over the three-month period suggests that much of the recovery in management pay rises has taken place recently. IDS says a quarter of the recorded rises were of 4 per cent or more, while others were about 5.5 to 6 per cent.

Paying the price, page 27

Sterling sinks to new low against the mark

By JANET BUSH, ECONOMICS CORRESPONDENT

EUROPEAN politicians fought an ever more desperate public relations campaign yesterday, defending their plans to move to a single currency, even as sterling, the French franc and the Portuguese escudo sank to new record lows against the German mark.

The dollar sank to an all-time low against the yen for the third consecutive trading day and hovered near to its record low against the mark. Japanese officials talked about convening a special meeting of the Group of Seven and the market was awash with rumours — denied — that the Federal Open Market Committee, which sets US interest rates, was in emergency session.

The air of crisis, which followed the decision of the European Union's monetary committee on Sunday to allow a devaluation of the Spanish peseta and the escudo,

prompted comment from a number of European leaders. Yves-Thibault de Silguy, EU Economic Affairs Commissioner, said that the creation of a single currency had not been affected by recent turmoil in the currency markets. "All preparations [for economic and monetary union] must be completed by the end of 1996."

However, market commentators set little store by such words of reassurance. George Magnus, chief economist at SG Warburg, said: "Official statements since 1992 have always argued that developments have not been justified by the economic fundamentals. But it is quite clear that there are fundamental problems, which investors are right to be concerned about."

Mr Magnus believes the current turmoil is a much more serious crisis than in 1992, when the lira and sterling left the ERM, and in 1993,

when the whole system was forced to abandon narrow bands. Many European countries face a cocktail of political and economic troubles, making it hard to foresee the kind of stability that would qualify them for the single currency.

The devaluation of the peseta by 7 per cent and the escudo by 3.5 per cent now leaves the franc as the next target of the currency markets. The franc, vulnerable to attack because of elections at the end of April and because of the need to cut France's budget deficit when unemployment remains above 12 per cent, fell to a new low of 3.5510 against the mark.

Sterling, which held up well most of the day, suddenly slumped to a new record low in late trading of about DM2.278, more than three pence down on levels earlier.

EMU doubt, page 9
Market report, page 26

BUSINESS TODAY

FT-SE 100 3001.9 (-23.2)
Yield 4.53%
FT-SE All share 1485.46 (-7.94)
Nikkei 17060.72 (+1.10)
New York Dow Jones 3968.51 (-21.10)
S&P Composite 482.64 (-2.78)

US RATE
Federal Funds 5 1/4% (5 1/4%)
Long Bond 100% (100%)
Yield 7.52% (7.52%)

LONDON MARKET
3-mth Interbank 8 1/4% (8 1/4%)
Life long gilt 10 1/4% (10 1/4%)
future (Mar)

STERLING
New York \$ 1.6340* (1.6285)
London £ 1.6321 (1.6285)
DM 4.9329* (5.0158)
FF 16.4100 (16.1950)
SF 1.9107 (1.9088)
Yen 161.07 (162.62)
S index 87.7 (87.8)

US\$ \$ DOLLAR
London £ 1.3888* (1.4235)
DM 4.9329* (5.0158)
SF 1.1689* (1.2010)
Yen 82.53* (84.13)
S index 81.7 (82.4)
Tokyo close Yen 93.47

NORTH SEA OIL
Brent 15-day (May) \$16.80 (\$16.75)

GOLD
London close \$378.75 (\$377.05)
* denotes midday trading price

Instant profit for investors in power

By MARTIN WALLER

INVESTORS in the £4 billion sale of the Government's remaining shares in National Power and PowerGen were assured of instant profits when dealings began yesterday.

By the close of trading, the partly-paid shares in PowerGen had reached 198 1/2p and their National Power equivalents 186 1/2p. They had been offered at 185p and 170p, respectively, in part-paid form, to the retail investor through the UK Public Offer and at 10p-a-share more to City institutions.

Strong retail demand had required the switching of 10 per cent of the issue to the public offer, from institutions. This virtually guaranteed a big premium in early dealings, as institutions had to go into the market to obtain a full weighting in the shares.

At last night's closing price, retail investors who applied for the minimum package, 80 PowerGen shares and 120 National Power costing £52 in part-paid form, are sitting on a profit of just over £30, minus any dealing costs.

The profit for institutions is less, but still sufficient to brand the issue a success. Potential profits had been even higher during the day, but shrank as the stock market as a whole fell. In early trading, PowerGen shares were well over £2.

Stock Market, page 26

Prices page

Technical problems at our supplier of Wall Street share price statistics have prevented publication of the latest prices in this edition. We apologise.



Jockeys Norman Williamson, left, and John Reid with Stalled, the horse yesterday

Danka backs horses in sponsorship deal

By MARTIN BARROW

AND they're off... Sponsors' logos, a fixture on footballers' shirts since 1977 and on cricket shirts since 1986, have finally intruded into the world of horseracing.

Danka, the supplier of photocopyers and facsimile machines, yesterday became the first company to place its logo on racing silks in a £350,000 three-year sponsorship deal with the Lambourn Trainers Association. Danka's logo will appear on the colours of Lambourn-trained horses, as well as horse boxes, attendants' clothing, blankets and coolers. The sponsorship will cover 30 training yards with about 1,500 horses in training, running more than 5,500

races a year, both flat and national hunt.

Danka will pay a sponsorship fee to each runner, and winners of televised races will receive £500, rising to £1,000 if the race has a value in excess of £10,000. Donations will also be made to racing charities, the Lambourn Welfare Trust and the Jockeys' Fund.

In March 1993, in a memorandum of understanding concluded between the Thoroughbred Racing and Breeding Industry and HM Customs and Excise, owners registered for VAT have to seek income from prize money, appearance money and sponsorship.

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Smith & Nephew plans to expand

By Sarah Bagnall

ACQUISITIONS are on the agenda at Smith & Nephew, the healthcare group. John Robinson, chief executive, said the consolidation in the healthcare industry was likely to throw up opportunities, which, with no debt, the company was well placed to exploit.

"Because of the strength of our balance sheet, we are in a strong position to make acquisitions," he said. The most likely area for expansion is orthopaedic implants, where the group is about the fifth largest in the world. But, Mr Robinson said, to be one of the market leaders one had to survive in the new, harsher trading environment.

Mr Robinson's remarks came as he announced a 9 per cent rise in pre-tax profits and exceptional items for the year to December 31, to £172.2 million. Exceptional charges of £17.7 million pushed the group into a loss of £5.5 million, compared with a profit of £164.9 million. The exceptional charges reflected a £150 million loss on the sale of Iloplex, the lens business, last August, together with a £27 million restructuring charge.

Group turnover rose from £947.7 million to £964.6 million, reflecting a 7 per cent rise in underlying sales from continuing operations. The strongest growth was in Japan, where sales rose 33 per cent, followed by 25 per cent in South East Asia. Mr Robinson said together they accounted for £40 million of sales, but looking forward five years they would be significant markets for the group.

By product, the best performance was achieved by casting and support, which lifted sales 14 per cent. The final dividend, payable on July 4, was lifted to 3.26p, making a total for the year of 5.26p, up from 4.91p. The dividend is being paid out of earnings of 10.62p a share, up 5 per cent.

Tempus, page 26



Improving trading conditions for Suter: David Abell, chairman, left, with Alan Hewitt, finance director

Budge urges pit unions to drop disruption threat

By Ross Tremain, Industrial Correspondent

THE head of Britain's biggest coal company yesterday called on mining unions to abandon threats of industrial action and join a drive to rebuild their industry.

In his first public speech since taking over the bulk of British Coal's business last Christmas, Richard Budge, chief executive of RJB Mining, called on union leaders to "work with change, rather than fight it".

He decried suggestions that RJB's attempt to introduce three-year contracts for miners amounted to a pay freeze.

"Our offer guarantees that terms and benefits will not be reduced," he said. Productivity could still be rewarded.

"Now isn't the time for union threats of industrial action," he told the Coal Industry Society, in London. Such action "would be extremely detrimental to securing markets and send the wrong message to all of our customers at a most critical time".

Officials of the National Union of Mineworkers and the Union of Democratic Mineworkers have expressed opposition to three-year contracts.

However, Mr Budge insisted:

"We are asking union leaders to be realistic, to work with change, rather than fight it, and to assist their members and RJB to develop the business profitably."

RJB had already "probably reduced overall costs by 3 per cent" since taking over British Coal's operations in England for £815 million in December. "Although British Coal has substantially reduced costs over recent years, there is still room for further improvements," Mr Budge said.

Discussions with material suppliers and equipment

manufacturers about cost reductions were under way. "They realise that without the co-operation of everyone, costs may not be competitive and the industry will continue to decline," he said.

Since the break-up of British Coal and the separate sales of the Scottish and Welsh mining operations, RJB Mining has become Britain's biggest coal mining group, with 21 deep mines in production and many more open-cast sites.

With British Coal's assets added to existing operations, RJB Mining has annual output of 38 million tonnes. Four-fifths of production comes from deep mines, the rest from open-cast. Mr Budge said that he hoped to maintain that ratio. "We will not be expanding our open-cast operations at the expense of our deep mine production," he said.

However, RJB has begun discussions with local councils and other interested parties in order that open-cast sites can be replaced when exhausted. Access to open-cast was essential to maintain the mix of supplies sought by customers, Mr Budge said.

Suter enjoys good finish to the year

SUTER, the industrial conglomerate that completed the £234 million takeover of James Wilkes, the specialist engineer, last year, lifted trading profits to £25.3 million in 1994 from £20.5 million in 1993 (Martin Barrow writes).

David Abell, chairman, said that although some markets had remained flat there had been a general improvement in trading conditions across the majority of Suter's businesses. The performance in the latter months of 1994 had been particularly encouraging, he added, and with the UK set fair for a period of steady growth, conditions in central Europe were now also starting to improve.

Turnover rose to £244.9 million from £186.9 million. Five acquisitions were completed in the year.

There is a final dividend of 6p a share, payable on June 19, making a total of 9.5p, increased from 9.2p. Earnings rose to 13.9p a share from 11.5p, excluding last year's exceptional credit.

Lucas £1bn deal to supply VW

By Ross Tremain, Industrial Correspondent

EFFORTS by George Simpson, the former Rover cars chief, to revitalise Lucas Industries showed first fruits of success yesterday when the car parts group detailed a £1 billion contract to supply Volkswagens.

Three hundred new jobs will be created at Stonehouse, Gloucestershire and Birmingham as facilities are expanded to supply electronic injection units for diesel engines built by the German car group.

The selection of the Lucas electronic injection system by a carmaker marks a breakthrough for the Birmingham car, aerospace and automotive parts group. Although lorry-makers began to buy the system eight years ago, Lucas has hitherto been unable to persuade car manufacturers to adopt the system, although it improves fuel economy and cuts emissions of particulates, the fine particles which have been linked to rising respiratory ailments.

Mr Simpson said: "We fully expect other companies to follow this lead." The contract showed Lucas could convert its research spending into product sales, he said.

BUSINESS ROUNDUP

ASW benefits from steel industry upturn

ASW HOLDINGS, the British construction steelmaker about to take over part of Usinor-Sacilor, the French state steel group, expects the upturn in the industry to continue this year, after giving a big boost to profits in 1994. Pre-tax profits in the year to December 31 surged to £4.2 million, from £100,000. The net profit rose to £5.7 million, from £900,000, on turnover of £464.3 million (£428.5 million). Earnings per share rose to 6.4p, from a loss of 0.7p. As announced last year, the dividend will be held at 3p.

Mr Edward Townsend, finance director, said ASW expected final approval from the French government soon of his company's acquisition from Usinor-Sacilor of 80 per cent of Société des Aciers d'Armature pour le Béton. Approval has already been given by the French privatisation committee. The acquisition, which will give Usinor-Sacilor a 12 per cent stake in ASW, would make ASW a pan-European steel company and up its turnover to about £640 million.

Saatchi appointment

SAATCHI & SAATCHI, the beleaguered advertising group has appointed a human resources chief because "people are our most important asset". The group, thrown into turmoil when its ousting of Maurice Saatchi as chairman sparked a wave of staff resignations and prompted some key client defections, said Al Prendergast would become executive vice-president of human resources worldwide. Charles Scott, the chief executive, said: "I fully expect the knowledge and experience which Al brings to the group will help to enhance the future performance of all our business units."

Volvo buys Dutch stake

VOLVO, the Swedish carmaker, has agreed to pay Clark Equipment of America, \$573 million for its 50 per cent stake in VME, the Dutch-registered company created when the two groups merged their construction equipment businesses in 1985. Clark said in January that it intended to sell its holding in VME, which makes excavators, wheel-loaders and rigid trucks, through a public share offering. Volvo said that VME will now become a fully-owned subsidiary and be renamed Volvo Construction Equipment, and that the deal fitted Volvo's policy of concentrating on the automotive industry.

Dasa in joint jet study

DASA, the German aerospace group, and Samsung Aerospace of South Korea have agreed to study the feasibility of building a regional transport jet with 100-120 seats. The aircraft could be built for service in the next century if market research and development studies were conclusively favourable. Dasa said. The agreement was initially by Fokker, Dasa's Dutch subsidiary. Dasa initiated a similar memorandum with the Chinese aero industry in December, and the latest agreement completes the partnership arrangements.

Burnfield bounces back

BURNFIELD, the industrial control group, saw profits recover to £3.1 million before tax in the year to December 31, from a depressed £776,000 in 1993, and said it had entered the current year with improved order books and a strong balance sheet. The company is lifting the final dividend to 1.75p a share, payable on May 4, making a total of 2.75p, increased from 2.5p. Earnings recovered to 6.3p a share, from 1.4p. Turnover edged forward to £39.56 million, from £38.5 million, but operating profits recovered strongly to £3.2 million, from £1 million.

Salvesen's £64m sale

CHRISTIAN SALVESEN, the food distribution and specialist hire company, has sold its brick operations for £63.5 million to their management, backed by CINven, the venture capitalists. The operations consist of Salvesen Brick, WH Collier and associated assets. A total of £61 million is payable in cash, with the balance coming from an unsecured convertible loan stock note with par value of £25 million, redeemable upon the sale or flotation of the business. Sale proceeds will be used to reduce group borrowings, which were £132.3 million at the end of the year to March 31, 1994.

Inveresk hit by price rise

RISE in woodpulp prices cut pre-tax profits of Inveresk, the paper maker, by 12 per cent, to £8.1 million, in the year to December 31. Bill Goodall, right, the chairman, said woodpulp prices had risen by about 80 per cent. Turnover rose 12 per cent, to £101.2 million. Exports, up 12 per cent, are now 51 per cent of turnover. The final dividend rises from 3.5p to 3.68p, making 5.52p. Earnings per share are 10.9p, down from 16.9p after an increase in shares upon flotation.



Mackie beats forecast

MACKIE International Group, the Belfast precision engineering company, comfortably beat its own flotation profit forecast of £1.9 million with actual profits of £2.04 million for the year to December 31, which excluded exceptional income relating to debt forgiveness. Earnings were 37.4p a share, against a forecast 24.4p. Turnover rose to £19.5 million from £13.2 million. The company reported net assets of £17 million at the year-end. In 1993, Mackie incurred pre-tax losses of £2.62 million, with losses per share of 70.9p. On the stock market, the shares, floated at 180p last September, rose 3p to 243p.

Close lifts payout

CLOSE BROTHERS, the merchant bank and investment management group, lifted its interim dividend by 16 per cent to 2.9p, in spite of almost unchanged pre-tax profits of £16.4 million in the half year to January 31. Earnings per share were 11.2p, up from 11.1p previously. Operating income fell to £35.8 million (£41.6 million). Net interest income rose to £19.95 million (£16.7 million), but fee and commission income fell to £8.6 million (£12.5 million). Administrative costs were cut to £17.3 million (£21.6 million). The loan book rose by 23 per cent, to £429 million. The shares gained 4p, to 235p.

LEGAL & PUBLIC NOTICES

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Of tel to bring in more new dialling codes

By Eric Reguly

CONSUMERS are likely to be bombarded with another confusing "phone day" next year when the Office of Telecommunications, the national custodian of telephone numbers, introduces a new array of dialling codes.

Under the scheme, the second digit in the dialling prefix will change, but only for new subscribers.

For example, the prefix for Tonbridge, Kent, which goes from 0732 to 01732 on April 16, will become 02732 if you are a new arrival in the neighbourhood: if you are already on 01732, you can keep it.

To make matters even more confusing, certain regions may get entirely new prefixes. The area in London within the M25 motorway may be assigned the 025 prefix.

Again, it would apply only to new subscribers; everyone else would keep their old prefixes.

The plan, in effect, would give two sets of prefixes for each region while making it difficult to know the destination of the call.

Of tel said that the new codes are needed to expand the rapidly depleting stock of telephone numbers. Lengthening the dialling prefix from three

to four digits (071 to 0717, for example) in April will not actually increase the stock of numbers.

It is just the first step towards introducing a new series of prefixes (such as 0271 and, eventually, 0371 and 0471) that will allow capacity to increase.

Of tel plans to introduce the new 02 prefix sometime next year. The idea, however, has not been applauded by British Telecom, Mercury Communications and telephone user groups.

While they want a bigger stock of telephone numbers, they are baffled by the complexity of the new codes and want to know precisely when they will be introduced.

"What we need is a clear statement from Of tel and a clear date so that telephone exchanges can co-ordinate their switching software," said David Harrington, Director-General of the Telecommunications Managers' Association, which represents the users of private telephone networks.

A spokesman for Mercury said: "We need to see more consultation and a clearer indication why this needs to be introduced."

Homes claim 'unrealistic'

ONLY three million out of Britain's 10 million homeowners will take up private insurance schemes in the wake of the Government's cuts in income support payments, the Council of Mortgage Lenders said yesterday.

The CML, representing more than 90 per cent of mortgage lenders, said that the Government's claim that the private sector would cover any shortfall in state housing subsidy was "unrealistic". The Government claims that the private insurance sector will more than make up for the reduction in state help.

TOURIST RATES

	Bank	Boys	Girls
Australia	17.32	2.17	2.17
Austria	17.32	2.17	2.17
Belgium	17.32	2.17	2.17
Canada	17.32	2.17	2.17
Cyprus	17.32	2.17	2.17
Denmark	17.32	2.17	2.17
Finland	17.32	2.17	2.17
France	17.32	2.17	2.17
Germany	17.32	2.17	2.17
Greece	17.32	2.17	2.17
Hong Kong	17.32	2.17	2.17
Ireland	17.32	2.17	2.17
Italy	17.32	2.17	2.17
Japan	17.32	2.17	2.17
Malta	17.32	2.17	2.17
Netherlands	17.32	2.17	2.17
Norway	17.32	2.17	2.17
Portugal	17.32	2.17	2.17
Spain	17.32	2.17	2.17
Sweden	17.32	2.17	2.17
Switzerland	17.32	2.17	2.17
Turkey	17.32	2.17	2.17
USA	17.32	2.17	2.17

THE TIMES RENTALS

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□ No barriers to a French takeover □ Time to ponder the sins of wages □ Bearing little for bondholders

Lyonnaise tests the water

□ OH! to have been a fly on the wall at Northumbrian Water's Gosforth headquarters when Lyonnaise des Eaux first heaved into view. Northumbrian, by all accounts, thought that the French wanted to discuss the sale of their North East Water business, a plan that would have suited Northumbrian's own expansion plans down to the ground.

The two had already been in collaboration within their home markets, which intersect and overlap all over the North-East. Where North East itself provides water, the same household gets its sewerage services from Northumbrian. Water from the mighty Kielder reservoir, indeed, operated by Northumbrian, feeds into the Tyne and the Wear, whence North East draws its supplies.

What could be more natural, and more cost-effective, than putting the two together into one body? This, of course, is just what the French had in mind. Only slowly must it have dawned on the Northumbrian board — and it is not entirely fair to blame difficulties in translation — that their approach was somewhat different. They did not want to sell North East — they wanted a controlling stake in Northumbrian.

The negotiations, it is fair to assume, broke down fairly

swiftly at this stage. The French were considering their position just as, in another sector of the privatised utilities, Trafalgar House was cutting the regulatory Gordian knot and bidding outright for Northern Electric.

The widespread perception was that Trafalgar would be bounced forthwith into the Monopolies Commission by a government keen to avoid a political row over regional asset-stripping by an overseas company. They were not, which will have been quite an encouragement to a French business keen to buy further into the British water industry.

The timetable henceforth is a depressing one for everyone save those drawing fees from either camp. The Department of Trade and Industry must resolve with Brussels who gets jurisdiction, which could take a month. Assuming it goes to London, the DTI draws up terms of reference for another week and the MMC looks at it for three months. Give the relevant Secretary of State another month to mull over it, and we are well into August before Lyonnaise can make a formal bid at a given price. Then, and only

when there is a price on the table, Brussels has its chance to look at it. That price is therefore almost impossible to assess this early on. At the current level, Northumbrian, the smallest of the ten privatised companies in England and Wales and the perennial bid favourite, is worth more than three and a half times the value at which it was sold in 1989. The reckoning must be, post-Trafalgar, that the French will pass the regulatory hurdles and bid. Certainly, if Trafalgar House is deemed a suitable owner of a near-monopoly utility, Lyonnaise would seem to raise few difficulties.

Where it pays to listen and change

□ CEDRIC BROWN, the chief executive of British Gas, is once again up before the bench at the Commons Employment Select Committee today over his pay package. Business is in the dock again. Or is it?

Industry has so far not made much of a fist in defending itself in the row over executive pay.



Partly, that's because many of its key figures are not very good at coming up with answers in public: away from the yes-man atmosphere of many UK boardrooms, where the chief executive's word is often unchallengeable law, industry leaders are very inexperienced at being questioned closely on sensitive or indeed any issues.

But for its own sake, business and its shareholders need to face up to the damage to industry and services that the row over executive pay is doing.

The public impression that all bosses are now somehow cheating over pay is strong. Such a view is deeply frustrating for many people trying to run companies in Britain, and still feeling

the strong undertow of recession. Small manufacturers are goggling at Cedric Brown's 75 per cent pay rise, bonus and share options as much as anyone else. But they know that they and industry generally are being tainted by the actions of a tiny number of companies.

The pay row is about the remuneration of the leaders of the privatised utility companies in gas, water, electricity and telecommunications — not of industry in general. Yet most industry leaders seem reluctant to support the justified criticism of utility executives' pay, even though their own and their business's standing is being damaged by the image of greed and salary-rigging. There are problems about executive pay that run wider than the privatised utilities. The merry roundabout of remuneration committees prompts a strong and often correct impression of extensive and lucrative back-scratching.

Such issues should be dealt with by the CBI's Greenbury committee. If Greenbury comes up with satisfactory results, business should embrace its proposed reforms. But Greenbury is unlikely to come up with solutions to actual pay levels and rises for utility directors, the issue causing most offence. The spectacle of utility leaders blustering away in the employment committee hearings has not been an edifying one. Arrogance has been the common and unpleasant factor.

Greenbury will not and cannot provide all the solutions, though it would be valuable if it recommended a new role for shareholders in setting directors' pay — the exercising of which would be to the benefit of the utilities and business in general.

Going Dutch at Barings

□ THOSE investing in Barings' £100 million perpetual subordinated debt issue in January last year knew that they were taking higher than average risk for higher than average returns.

When the bank went bust at the end of last month, it was obvious that they were going to

be the biggest losers. Depositors were always going to get some dividend from the administration, no matter how the securities, banking and asset management businesses of Barings were parcelled up and sold off. Aard Jacobs, chairman of ING, which yesterday bought the bank from the administrators, wasted no sympathy on bondholders.

Their objections to the administrators' request to the High Court yesterday for approval for the sale of most of Barings to ING were partly because they did not understand the structure of the deal being offered to them.

ING will pay £5 million to the administrators of Barings plc, for distribution to the bondholders. For its £5 million, ING is effectively buying the £100 million note capital. The £95 million is the value of an indemnity pot that will be used by ING to meet any liabilities arising from its acquisition of Barings.

If, after six years, under the statute of limitations, there is anything left, ING will make a further payment of 20 per cent of the value of the notes to bondholders. This would make 25 per cent. Scottish Amicable, with a £33 million investment in the notes, and Legal & General, with another, are not happy. But in the words of Mr Jacobs, they were "treated too well" last year and knew what they were taking on.

Redrow builds up to £16m

By MARTIN WALLER

AN 11 per cent rise in the average price of houses sold helped to push pre-tax profits at Redrow Group, the housebuilder that came to the market last year, up 72 per cent to £16.3 million in the half year to December 31.

This figure included a £1.6 million improvement on the interest payment line as a result of the flotation and the non-repetition of a loss on the sale of discontinued operations. Continuing profits, therefore, rose 27 per cent to £15.6 million.

Redrow is paying a maiden interim dividend of 1.05p, out of earnings of 5.2p on a continuing basis. Steve Morgan, the chairman, said the housing market remained fragile, although he believed many of the gloomy reports circulating were unfair comparisons with a mini-boom, ultimately unsustainable, that was experienced last spring.

Redrow has decided, in the light of the "extremely tight" margins in the contracting industry, to shut its construction offshoot.

Times, page 26

Hillsdown to sell Maple Leaf Foods stake

By SUSAN GILCHRIST

HILLSDOWN HOLDINGS, the food group, is planning to sell its 56 per cent stake in Maple Leaf Foods for up to £680 million (£299 million) in cash.

Wallace McCain, one of the two founding brothers of the McCain frozen foods empire, has joined forces with the Ontario Teachers' Pension Plan Board to buy Maple Leaf and merge it into a new food group.

Under the terms of the offer, Hillsdown would receive a minimum of £623 million in cash together with a 10 per cent shareholding in the newly enlarged company. It could get up to £680 million in cash if most of the other Maple Leaf shareholders opt to take shares in the new company.

Sir John Nott, the chairman of Hillsdown, said that the deal would enable the group to concentrate its resources on its core European operations. He added: "The

European food industry is changing rapidly and it has presented a lot of new opportunities. We are now in a better position to take advantage of those opportunities."

The deal would reduce gearing from about 40 per cent to less than 10 per cent. "Before this, we would not have looked at a deal much above £100 million," Sir John said. "Now we can look at deals of £500 million." However, he added that the group would not rush into any acquisition.

The news was broadly welcomed in the City. One analyst said: "They have done the right thing, but the price is a bit on the lean side."

The offer is worth up to £315 a share, an 18 per cent premium to Maple Leaf's closing price of £267.75 on Friday night.

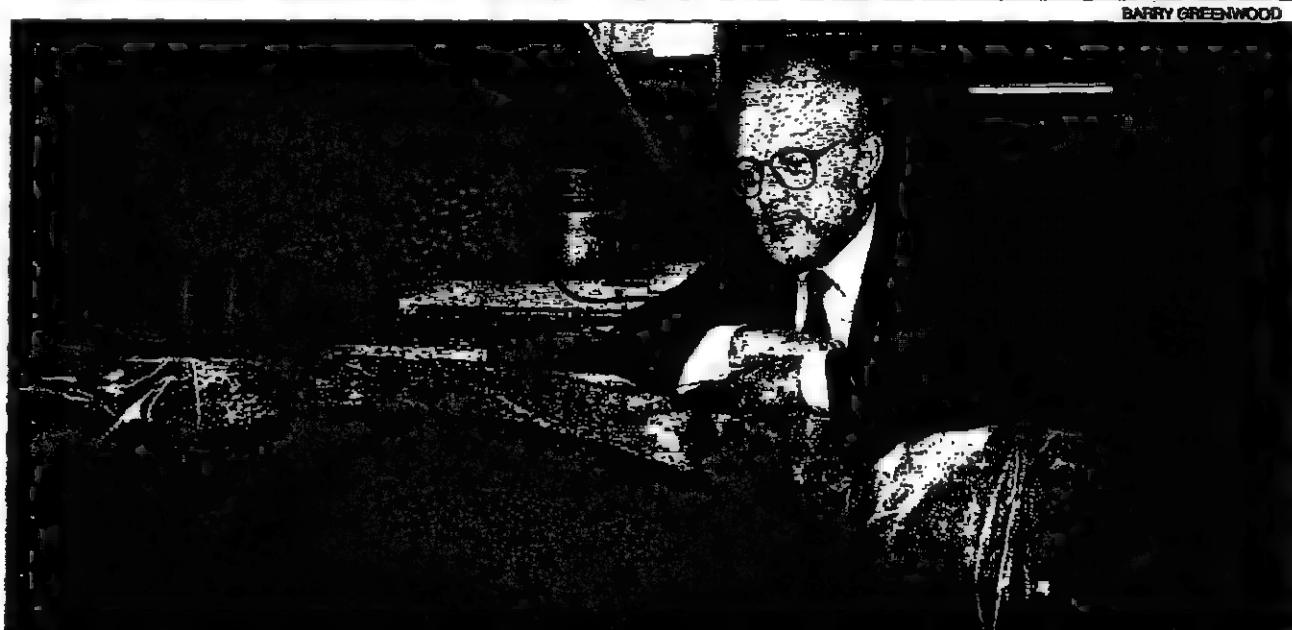
Sir John has not ruled out the possibility of another buyer entering the frame with a higher bid. The non-executive directors of Maple Leaf have set up a special committee to seek out other interested parties.

Mr McCain was ousted as co-chief executive of McCain Foods last October after a bitter dispute with Harrison McCain, his brother, over succession planning.

Sir John made his approach shortly afterwards with a view to buying his 33 per cent shareholding in McCain. Instead, talks between the two sides led to yesterday's announcement.

Hillsdown first entered the Canadian food market in 1987 with the acquisition of Maple Leaf Mills. The business was merged with Canada Packers three years later and renamed Hillsdown was left with a 45 per cent stake and then bought a further 11 per cent of the shares.

Times, page 26



Rod Sellers yesterday, when British Vita announced a 47 per cent rise in profits in spite of rapidly rising raw material costs

British Vita tops forecasts

BRITISH VITA, the polymers and fibres group, beat City expectations to report a 47 per cent rise in profits (Susan Gilchrist writes). Pre-tax profits jumped to £49.5 million in the year to December 31, from £33.7 million previously, exceeding analysts' £45 million forecasts.

Rod Sellers, chief executive, said that the improvement was in spite of rapidly rising raw material costs. Operating margins in continuing businesses rose to 5.9 per cent, from 5.1 per cent.

The group wants to expand in the US and the Far East, where it is under-represented. A final dividend of 3.95p (3.75p) makes 7.7p (7.4p).

BBA Group returns to the black

By SUSAN GILCHRIST

THE recovery of BBA Group gathered pace yesterday as the engineering and motor components returned to the black and beat its dividend forecast.

The group made pre-tax profits of £63.9 million in the year to December 31, compared with a loss of £14.5 million. Bob Quarta, recruited from BTR as chief executive 18 months ago, said the improvement was driven by the elimination of underperforming businesses, higher productivity and cost reductions.

The final dividend is lifted to 3.25p (5.25p), making a total payout of 4.75p (7.50p). Shareholders will be paid on May 26. The total dividend is slightly above the group's forecast of 4.50p. Mr Quarta said the decision to raise it was due to faster than expected progress on profitability.

The group's disposal programme, which has raised about £130 million to date, continues with a further £200 million of disposals expected. Mr Quarta refused to comment on reports that BBA was on the verge of selling AP, its motor components subsidiary.

Mr Quarta said the group was looking to make acquisitions. He said the group could finance any deals without tapping shareholders for funds.

Times, page 26

THE TIMES Win a £6,000 PEP



A Personal Equity Plan (PEP) is a way of investing money out of the reach of the tax man and The Times, in association with TSB Bank, is offering you the chance to win a £6,000 PEP. Answer the questions which appeared on Saturday and which will reappear on Friday, collect four of the six PEP tokens which are appearing each day, and you could win an investment in your choice of three TSB unit trusts:

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* Source: Microprint offer-to-offer. Income not guaranteed. (As at 18.2.95).

THE TIMES
Third week
PEP
Token 3
TSB

BPI expands recycling as raw materials soar

By SARAH BAGNALL

BRITISH POLYTHENE INDUSTRIES (BPI) plans to expand its recycling activities in the face of rising raw material prices.

Cameron McLatchie, chairman and chief executive, said: "At last recycled products are cheaper." This is because raw materials have kept 75 per cent over the last year and scrap is a cheaper alternative.

The company, Europe's largest polythene film producer, makes a range of plastic bags, shrink films, wraps and coatings for industries such as food, agriculture and chemicals. Recycling accounts for about one-fifth of the tonnage sold and is used in about two-fifths of the group's products.

Mr McLatchie said the crossover in cost efficiencies between new raw materials and scrap was in the process of happening and was not

expected to be reversed. "We think the time is right to invest in further equipment for recycling of post-use scrap. We plan to invest about £4 million this year, of which £2 million is for a new washing plant," he said.

Elsewhere, BPI plans to make further bolt-on acquisitions this year, after the seven last year.

His remarks came as BPI announced a 25 per cent leap in pre-tax profits to £19.2 million in the year to December 31. This was achieved in spite of the rise in raw material prices because the group managed to pass them on to customers. Turnover rose 27 per cent to £269 million. The final dividend, payable on May 26, rises from 7.75p to 9.25p, making 13.75p (11.5p). Earnings per share rose 30 per cent to 33p.

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STOCK MARKETS

MICHAEL CLARK

Pressure on the dollar reflects badly on shares

INVESTORS were again on the ropes after the dollar came under renewed pressure in world currency markets. The equity market managed to hold above the 3,000 level but it was a close-run thing.

Hopes that the equity market could start making headway following the overnight rescue of Barings by ING, the Dutch merchant bank, were quickly dashed as investor attention was focused on currency movements. Renewed weakness by the pound against the mark and the dollar's slump to a new low again raised the spectre of another rise in interest rates.

As a result, the FT-SE 100 index opened the session nursing a fall of more than 30 points. The ability of the Dow Jones industrial average to move more than half its earlier losses, enabled the index to close above its worst with a fall of 22.2 at 3,001.9.

Turnover was just short of 700 million shares but was artificially swollen by dealings in partly paid shares of the two power generators and speculative support for the water utilities.

Northumbrian Water soared 12p to 86p on learning that Lyonnaise des Eaux, the French water company, intends to make a formal bid for the company. Northumbrian described the statement as unwelcome and said it will dispute business and prompt prolonged uncertainty.

The group also warned shareholders that there was an unacceptable absence of specific terms and that the French were under no obligation to make a bid. The French group, for its part, expected any offer to be referred to the Monopolies and Mergers Commission for clarification.

Brokers said they expected the French to make an opening offer of at least 80p a share. Lyonnaise already owns North East Water and would be expected to make extensive cost savings. At current levels the group has a market value of £600 million.

In spite of the news of the approach, speculative support against the other water utilities proved selective. **Southern** rose 16p to 567p, **Welsh** 28p to 637p, **North West** 4p to 535p, **Severn Trent** 2p to 529p, **Thames** 2p to 486p and **Yorkshire** 9p to 528p.

Private investors are calculated to have made a profit of



George Simpson, of Lucas, saw the firm's shares jump

£30 each from first time trading in the partly paid shares of the power generating twins **National Power** and **PowerGen**. They were allowed to subscribe for a minimum of £32 worth of shares in the partly paid form after the sale of the Government's remaining 40 per cent stake in the two companies.

National Power, the bigger

NORTHERN IRELAND ELECTRICITY rose 9p to 1 million shares changed hands in a thin market. The shares have been added to the list of likely takeover targets among the utilities. City speculators have been linking NI Electricity's name with that of Scottish Power.

of the two companies, finished with a premium of 16p a share as more than 46 million shares changed hands. **PowerGen** rose 13p to 198p on turnover of 29 million shares. The underlying share price was also steady with **National Power** closing all-square at 456p as almost 12 million were traded and **PowerGen** 1p higher at 491p.

Hilldown Holdings, the

food to furniture group, is to sell its 56 per cent interest in **Maple Leaf Foods**. Brokers say proceeds from such a disposal could raise about £300 million. **Hilldown** has been offered £274 million for the business by the **Wallace McCain** family and the **Ontario Teachers' Pension Plan**. **Hilldown** will also enjoy a 10 per cent stake in the new

company. Its shares responded to the news with a rise of 6p to 182p.

A better than expected dividend payout lifted **BBA** 4p to 196p. The group had previously forecast a payment of 4.5p, so the recommended figure of 4.75p came as a welcome surprise even though it was below last year's 7.5p. **BBA** was able to make the move after swinging back into the

black last year with pre-tax profits of £84.3 million against a previous loss of £11.5 million. **Lucas Industries** managed to shrug off recent weakness with a jump of 6p to 187p. The group has just signed a £1 billion deal to supply Volkswagen with fuel injection systems. The contract will create up to 300 jobs during the next three years at its plants in Stonehouse, Gloucestershire, and Birmingham.

Only last month the **Lucas** share price fell from 182p to about 166p after the US Navy announced it planned to sue the company after it was found guilty of falsifying inspection checks on spare parts.

A 28 per cent surge in full year pre-tax profits to £32 million at specialist publisher **Metals** lifted the shares 3p to 56p. The group, in which EMAP continues to hold a 20 per cent stake, now boasts £8 million in the bank. **Trevor Tarring**, chairman, is confident of further strong growth and is on the lookout for suitable acquisitions.

Smith & Nephew slipped 2p to 159p after hinting that the group may be on the verge of making a number of acquisitions. The news came as the group announced it had plunged into the red last year with pre-tax losses of £5.5 million against a profit of £164.9 million last time. The figure was struck after losses of £150 million at its **loptex** division and restructuring costs totalling £27 million.

GILTED-EDGED: Gilts enjoyed an early mark-up as investors in the dollar and devaluation of the peseta and escudo. However, it proved short-lived, and prices were soon drifting again along with other European bond markets.

In the futures pit, the June series of the long gilt finished £11.52 lower at £101.17 1/2 in trading which saw 42,500 contracts completed.

Among conventional issues Treasury 8 per cent 2013 fell £1.12 at 894.4, while at the shorter end Treasury 8 per cent 2000 was five ticks off at 871.12.

WALL STREET: Shares on the New York Stock Exchange were sliding at midday, under pressure from a weak dollar. Dow utilities were in retreat as a result of higher interest rates. The Dow Jones industrial average was down 21.10 points at 3,001.9.

MAJOR INDICES

New York (midday): Dow Jones 3,001.9 (+21.10)

S&P Composite 482.64 (+2.70)

Tokyo: Nikkei Average 17,040.72 (+1.10)

Hong Kong: Hang Seng 8,063.91 (+91.24)

Amsterdam: AEX Index 402.12 (+3.40)

Sydney: All Ordinaries 1,891.6 (+10.0)

Frankfurt: DAX 2,070.32 (+30.17)

Singapore: Straits 2,126.99 (+6.01)

Brussels: C20 Index 6,042.75 (+107.58)

Paris: CAC-40 17,735.25 (+31.99)

Zurich: SMI 2,008.43 (+7.21)

Stock Exchange: FTSE 100 3,001.9 (+21.10)

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TEMPUS

S&N's healthy appetite

SMITH & NEPHEW is right to be searching out acquisitions. The upheaval in the healthcare industry is gathering pace, leaving manufacturers needing critical mass to survive.

Being a bit player in a large-scale production is not enough. Companies have to be the stars of the performance in order to catch the attention and purses of the new breed of bulk buyers that dominate the healthcare market.

Smith & Nephew has the necessary body weight in four of its product areas. But, for example, the company has just 8 per cent of the orthopaedic implants market, insufficient to guarantee supply contracts.

Besides bolt-on acquisitions to bolster its main product areas, S&N, with no debt, could well afford to make a sizeable purchase in an entirely new product area. But the need for

critical mass means the likely target company would have to be generating sales of about £150 million to £200 million to make it attractive.

Acquisitions would improve the company's earnings potential, but the management has attracted criticism for mistakes in the past, such as the purchase of **loptex**, a lens business sold last August. The wounds of that expensive escapade are still fresh.

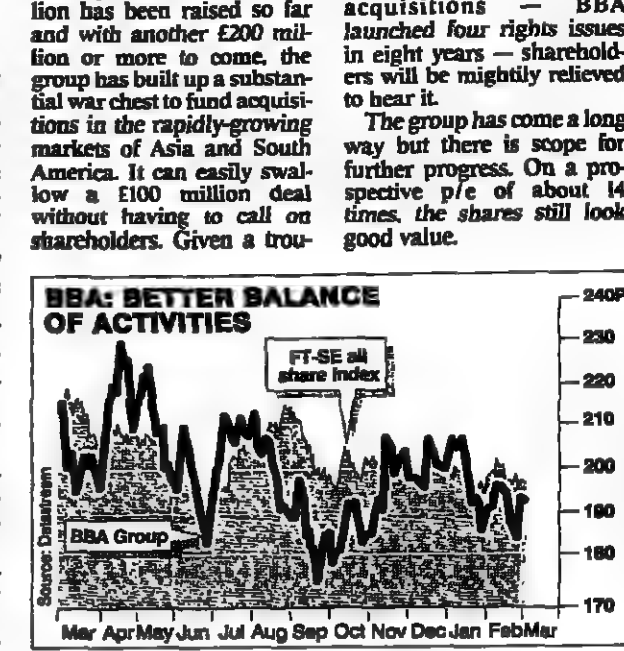
But looking ahead, operating margins are unlikely to rise from their current level of 18.2 per cent, while pricing pressures are likely to remain. In its present guise, S&N could hope to sustain sales growth of about 7 per cent but compared with the drugs sector this looks less than exciting. The shares at 159p are trading on a prospective P/E of about 14 times, a level which is fair, unless acquisitions improve the picture.

BBA

TWO years ago, BBA was a sprawling mass of unrelated businesses with unexciting earnings growth. Today, under the stewardship of Bob Quarta, the aggressive new chief executive, it is a more tightly focused group. Its earnings prospects are healthier too — the group looks set to beat its target of achieving 10 per cent margins by 1996. Margins reached 9.4 per cent in the second half of last year and, with further benefits from productivity improvements to come, they should pass 10 per cent in the coming months.

Margins will also be boosted by the sale of underperforming operations. Businesses that do not conform to its criteria — leading players in a global market or highly profitable specialists — have been unceremoniously earmarked

BBA: BETTER BALANCE OF ACTIVITIES



Hilldown

HILLSDOWN is doing the sensible thing in off-loading its 56 per cent stake in **Maple Leaf Foods**. The business has never delivered spectacular returns and has diverted attention from the group's core European markets.

The stake was also something of a financial straitjacket. Although Hilldown got its share of the profits, it did not see its share of **Maple Leaf's** cash, apart from dividend payments. At the interim stage last September, that business had £312 million (£51 million) of cash in its balance sheet but locked away in Canada, far from Hilldown's eager hands. This deal provides a way of releasing that value.

The only other option was for Hilldown to buy the rest of **Maple Leaf** outright. Rightly, the group decided such a move would be too expensive and would prevent it from doing deals elsewhere. This way, the sale

Redrow

Whatever Redrow's virtues as a housebuilder, the shares have fallen along with the rest of the building sector in line with the generally negative sentiment towards the industry. There seems little reason why this trend, unfair though it may seem, will not continue. Redrow shares, therefore, now stand at three quarters of the level at which they were placed in May last

year. The company enjoys a strong balance sheet. Its product range is well regarded, and a land bank sufficient for six and a half years of completions. More significantly, Redrow is not required to boost its volumes to achieve higher profits — these will inevitably come from the refinement of the product mix and the gradual trading out of the lower-price units in the south east acquired as part of **Costain Homes**, a deal that brought with it £96 million of tax losses for use by Redrow.

Yet the shares now sell on exactly ten times this year's earnings, on market forecasts of a little more than £30 million pre-tax. They will not return to favour before the rest of the sector, which for its part requires a hefty but unlikely dose of house price inflation before investors will look seriously again.

EDITED BY MARTIN WALLER

COMMODITY EXCHANGE

Commodity	Mar 7	Mar 6	Mar 5	Mar 4	Mar 3	Mar 2	Mar 1	Mar 0	Mar -1	Mar -2	Mar -3	Mar -4	Mar -5	Mar -6	Mar -7	Mar -8	Mar -9	Mar -10	Mar -11	Mar -12	Mar -13	Mar -14	Mar -15	Mar -16	Mar -17	Mar -18	Mar -19	Mar -20	Mar -21	Mar -22	Mar -23	Mar -24	Mar -25	Mar -26	Mar -27	Mar -28	Mar -29	Mar -30	Mar -31	Mar -32	Mar -33	Mar -34	Mar -35	Mar -36	Mar -37	Mar -38	Mar -39	Mar -40	Mar -41	Mar -42	Mar -43	Mar -44	Mar -45	Mar -46	Mar -47	Mar -48	Mar -49	Mar -50	Mar -51	Mar -52	Mar -53	Mar -54	Mar -55	Mar -56	Mar -57	Mar -58	Mar -59	Mar -60	Mar -61	Mar -62	Mar -63	Mar -64	Mar -65	Mar -66	Mar -67	Mar -68	Mar -69	Mar -70	Mar -71	Mar -72	Mar -73	Mar -74	Mar -75	Mar -76	Mar -77	Mar -78	Mar -79	Mar -80	Mar -81	Mar -82	Mar -83	Mar -84	Mar -85	Mar -86	Mar -87	Mar -88	Mar -89	Mar -90	Mar -91	Mar -92	Mar -93	Mar -94	Mar -95	Mar -96	Mar -97	Mar -98	Mar -99	Mar -100	Mar -101	Mar -102	Mar -103	Mar -104	Mar -105	Mar -106	Mar -107	Mar -108	Mar -109	Mar -110	Mar -111
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THE TIMES CITY DIARY

Smoke-free results?

SIR Patrick Sheehy will be able to put one hand on his heart tomorrow when presenting BAT's year-end results and admit that, yes, he has undergone a period of training in the weird and wonderful world of derivatives. And that his teachers came from BAT's in-house financial team. He felt he should further educate himself. However, Sir Patrick, still with the same hand on heart, was able to say that the exercise had nothing to do with BAT, but rather with his being on BP's board and audit committee. With his other hand, Sir Patrick can be expected tomorrow to reach for the ashtray. He is, after all, chairman of a multinational tobacco group, and he enjoys smoking. As far as he and his ashtray are concerned, it is somewhat unfortunate that National No Smoking day tomorrow just happens to coincide with the day BAT long ago decided to announce its year-end results.

Banking blades

ING Bank may well have beaten ABN Amro in the race for Baring Brothers, but, in the same weekend, it lost to Amro in the annual Business Houses Rowing Club Eight race, organised by Cygnus RC, the Civil Service rowing club, and held on the River Thames between Putney Pier and Barnes Bridge. The race regularly attracts crews from Dutch and British banks, and, on Saturday, Nat West Bank II came first, ABN Amro was sixth and ING Bank was thirteenth.

Going Dutch

THERE is a northern expression "clogs to clogs in three generations", which is a polite way of saying that grandsons of self-made businessmen usually ruin the family business in three generations. The Baring family can trace its roots back to Holland, which makes it ironic that International Nederlanden Groep (ING) has come to the merchant bank's rescue. Or, as the saying might go, "clogs to clogs in unpeeped generations".



Bonus question

WHATEVER the outcome of today's tête-à-tête between Greville Janner and Cedric Brown, the idea that British Gas's chief executive hid matters from his inquisitor, last time round, would appear a bit rich. On *The World Tonight* last month, Janner was asked why he wanted to recall Cedric Brown. Q: "He's already spoken to you once. What do you want him to tell you that he hasn't already told you?" Janner: "We got a letter today from Richard Giordano, the chairman, in which he sets out details of a bonus scheme which we didn't know about." Q: "And you only heard about that today?" A: "Yes, and it's the unanimous view of our committee that he ought to come back and tell us about this and explain to us what the bonus scheme is and also tell us why he didn't make full disclosure." ... Strange, because British Gas's memorandum to the Employment Select Committee appeared to answer the question as long ago as January 17.

COLIN CAMPBELL



Sir Desmond Pitcher, left, of North West Water, Yve Newbold, of Hanson, and Sir Richard Greenbury, who is to chair the inquiry on top pay

Company executives pay the price of public anger

Philip Bassett looks at the mounting concern in the UK about the levels of top pay, particularly in the utilities

Greville Janner, the Labour MP who chairs the Commons' Employment Committee before which Cedric Brown, the chief executive of British Gas, will once again appear today to defend his pay package, is clear on the issue of top pay in the privatised utilities. "There is public anger at the greed," he says. "But it's not just Labour. There is a real feeling of discomfort about it — on all sides."

Mr Brown's enforced return to the Commons committee corridor marks a new highpoint in the row that will not go away — over the pay levels and increases of top company executives, especially those in the privatised utilities of gas, electricity, water and telecoms.

"Public outrage", as Mr Janner describes it, reached such a peak last week that after months of insisting that the law had no place in regulating pay, especially boardroom pay, John Major was forced into a humiliating retreat, acknowledging how "distasteful" some executives' pay rises were, and promising legislation if necessary.

Mr Brown is central to the affair. Since news broke last November of his 75 per cent pay rise, the issue of his pay and that of other utility bosses has refused to disappear. His recall to the all-party committee today stems from press disclosures that in addition to his pay rise, a new bonus system could see his salary double to almost £1 million.

While it may seem puzzling that a senior figure in a private company has to appear again before MPs — he was last before the committee at the end of January — Mr Brown, who is now paid £475,000, has little choice. Under Commons' standing orders, the select committee has the power to "send for persons, papers and records". If summoned witnesses do not attend, the committee can invoke its formal powers to require them to do so. If that fails, the Commons would be asked to uphold the order. If a witness still disobeys, then the House has the power to put them in prison.

Such a clash is rare, although the temperature over utility executives' pay is such that the committee is in the foothills of such a row with Sir Desmond Pitcher, chairman of North West Water — salary £338,000, a 571 per cent pay rise since privatisation — who refused to disclose details of the company's £60,000 charitable donations. Bowed by the Prime Minister's U-turn, and angered by failing to get the full picture when Mr Brown first appeared, MPs on the committee will try today to push the British Gas chief hard, especially since the committee believes it has been making the running on the issue of utility pay (a distinction many newspapers and the Labour Party front-bench claims too).

Whoever has been leading, it is clear that defensiveness has led ministers and business leaders to make mistakes — of which the remark by Sir Iain Vallance, of British Telecom, that he might like to swap jobs with a junior hospital doctor since their work would be more relaxing

than his has been the most pronounced and damaging. Everyone involved now has on their lips a one-word salvation: Greenbury. Sir Richard Greenbury, the 569,000 chairman of Marks & Spencer, is now heading a high-level committee on top pay established, somewhat reluctantly, by the CBI at the request of the Prime Minister. Its findings are now seen as the key to the outcome of the top pay row. Indeed, Mr Major's legislative pledge was wholly conditional on any recommendations from the Greenbury committee requiring legislative back-up.

For some, Greenbury is little more than a whitewash, stuffed with business insiders. Others see it as a panic as Sir Desmond puts it, a "political response to a political problem". But it is likely to be the mechanism for a solution. What is happening on the committee? And what is likely to conclude? After it was set up on

January 16, Sir Richard issued an edict of silence, to which most of its members have adhered and are likely to do so until its report is revealed, probably in July.

So far, the 11-strong committee has met fully twice, though it has established several sub-groups to look at particular issues. Mountains of written evidence are streaming in to its secretariat, provided free of charge by KPMG, the accountant. A questionnaire is being sent out to sample opinion. Private meetings with people to obtain oral evidence are being arranged. Its main areas of work are starting to emerge: the make-up, independence and effectiveness of the remuneration committees that set executives' pay; pay practices, such as share options, bonus, contract terms and lengths and payoffs for failure; the extent of the disclosure of directors'

pay, including its timing and mechanism by which pay and other benefits are set; and how best to tell people, including shareholders, about salary levels and increases.

So far, the committee appears completely open in a number of key areas, including, in particular, what greater role — indeed, what genuinely operational role — shareholders should have in either setting or approving salary packages and the question of share options that are unrelated to directors' own performances, or indeed a company's performance, so that share options can still be realised for a profit even if a company has in fact under-performed its stock market sector.

But Greenbury is likely to come up with a code of practice, which may well need changes to company law. The real signal taken by committee members from the Prime Minister's statement is that they now know they need not shy away from proposals which they know would need legislative change.

Will all that, or something like it, be sufficient? It depends on what the political temperature on the issue of executive and especially utility pay is at the time it reports — though based on the past five months, few company leaders are sanguine that the issue will have disappeared by then.

Clearly, its likely emphasis on transparency and openness will be important, and helpful to business and the Government. But as Yve Newbold, Hanson company secretary, acknowledges, more will be needed. The problem is in the presentation, but only partly — the core of the problem lies in the public outrage not at not being told enough, but at utility leaders' pay levels and rises simply being far too high.

Many MPs and some business leaders believe that the public is genuinely outraged at the pay levels and increases for utility bosses who have done little but ride the inevitable success of their companies in monopoly markets and have seen ever larger slices of big profits creamed off into their own salary packages.

They believe that public concern has been stoked by such rises coming after many years of enforced general pay restraint during the recession, and compare them with rises of 1 per cent being given nationally to nurses this year, for instance. Union leaders are seizing on this feeling in formulating pay claims, and the TUC will emphasise it today when it launches a campaign on poverty pay among part-time workers.

From the Prime Minister onwards, government politicians and business leaders hope the Greenbury committee can solve the problem. They will hope that Greenbury can come up with some ideas — and some sensitivities — that the privatised utilities have signally failed to show over the issue of their executives' pay. Otherwise, Mr Brown is unlikely to be the only utility boss making a return trip to the Commons.



Cedric Brown, of British Gas, will be defending his pay package again today

BUSINESS LETTERS

UK merger control and issues of public interest

From Mr Roger Finbow and Mr Nigel Parr

Sir, We are concerned that comments made in Pennington (March 1) under "No monopoly in Monopoly" may have misled some readers.

It is a misconception that "the benchmark for any MMC inquiry is a merger that grabs more than a quarter of any market". The relevance of the so-called market share test contained in the Fair Trading Act is that a merger which results in control by the merged concern of 25 per cent or more of the relevant market qualifies for investigation: that is, the Secretary of State may refer it to the MMC if he considers it raises sufficient public interest issues. Thus, many mergers which produce market shares well in excess of 50 per cent are cleared without reference each year, whilst it is not particularly unusual for references to the MMC to be made in circumstances where the resultant market share is less than 25 per cent. Look at the beer industry for example.

Secondly, your writer is wrong in implying that the Secretary of State has, in the past, considered merger references on competition grounds alone (the article actually re-

fers — presumably mistakenly — to monopolies references). Since the 1984 Tebbit Statement, successive Secretaries of State have made merger references primarily on competition grounds but have always made clear, as the Fair Trading Act itself provides, that other public interest issues may merit a reference from time to time; and a number of non-competition references have indeed been made over the past ten years.

One can only speculate as to the strength of the OFT's conclusion in respect of the competition issues arising on the Hasbro/Waddington merger but, given that board games are essentially discretionary purchases which compete in spending terms with toys, electronic games and the like, we would have been more surprised if a reference had been made. Evidently, the OFT and your writer took a narrower view of market definition than we would have thought appropriate.

Sir Bryan Carsberg's comments of last week are interesting, and are a helpful contribution to what is likely to become an increasing debate, but we disagree with him, at least as regards merger con-

trol, although we believe he was referring to monopoly and anti-competitive practice inquiries). As we argue in our concluding chapter of our publication on *UK Merger Control*, whilst UK merger control is not perfect, the regime is broadly fair and, at the MMC stage, relatively transparent. Although some disadvantages, notably of timing and the degree of burden imposed on business, arise out of separation of merger vetting and investigation from the enforcement of remedial action, the independence of the MMC frees them from internal conflicts of interest and from any obligation to implement the policies of the government of the day. In that respect, the UK approach constitutes a better compromise than the EC Merger Regulation, the application of which, many would argue, is potentially subject to excessive political influence and pressure, leading to opacity, unnecessary confusion and a lack of accountability.

Yours faithfully,
ROGER FINBOW
NIGEL PARR
Ashurst Morris Crisp,
Broadwalk House,
5 Appold Street, EC2.

Pentos failed in spite of NBA

From Mr Martin Grindley

Sir, The main argument of opponents to the net book agreement (NBA) has been that it keeps book retailing uncompetitive and protects inefficient booksellers. Does not the collapse of Pentos show this to be nonsense?

Yours faithfully,
MARTIN GRINDLEY,
Brothers Bookshops,
125 High Street,
Brentwood, Essex.

From Mr John Raybould
Sir, So, sadly, the Dillons bookshop chain "now joins other famous retail casualties" through the collapse of Pentos (report, March 2). When I was a student at University College London in the 1950s, I can remember the late Miss Una Dillon, owner of the eponymous bookstore, telling me her ambition was to buy all the shops surrounding hers as they became available. She would, however, let the delightfully named Pride of Colkayne coffee shop survive in the middle of the block as the smoky-filled, espresso rendezvous for us impecunious students.

Miss Dillon's friendly bookshop along with the coffee shop disappeared when

Dillons was bought by Pentos in 1977. Mr Terry Maher, its accountant founder, then proceeded on what was to become his disastrous national policy of over-expansion, largely at the expense of his suppliers (many of whom eventually put Dillons on their "stop lists").

Perhaps the lesson is that bookselling should really be left to people like Miss Dillon and not to accountants. Yours faithfully,
JOHN RAYBOULD,
The Old Vicarage,
High Street,
Newport,
Saffron Walden,
Essex.

Tobacco at the Bank

From Mr F. Paul Taylor

Sir, "A chain-smoking Governor named Eddie..." (Eddie George rhyme, City Diary, March 2). How can we have confidence in the future when our finances are in the hands of one who has neither the wisdom nor the willpower to give up smoking? Yours faithfully,
F. PAUL TAYLOR,
7 Kingsway,
Cheshire.

Avoid tough questions at your peril

Corporate insolvency strikes when a blind eye is turned, warns Graham Searjeant

THE more revelations that are made about the failings of Barings, and the more incredible they become, the easier it is to paint the causes of this City disaster as "unique".

The Governor of the Bank of England was quick to do so, in the vital cause of allaying fear in the financial markets. The Chancellor eagerly followed to avoid responsibility. They might be the last to know. On reflection, only the terminally complacent would now think what happened to Barings "unique".

On the contrary, this novelistic scandal bears uncanny similarities to a list of previous company collapses. The thinking that allowed it questions a generation of fashionable management thinking that is even now wreaking new havoc, for instance at British Gas.

One of the historic lessons of corporate insolvency is that disaster is most likely to strike when directors and investors choose not to ask awkward questions — or when auditors cannot.

Ferranti was laid low by the purchase of ISC because no-one could ask too many questions about big, lucrative but hush-hush international arms orders. As it turned out, they did not exist. Shareholders in Polly Peck did not ask too many questions about the suspiciously vast profits coming from tiny northern Cyprus. Directors of British & Commonwealth chose not to doubt the splendid-looking profits of Atlantic Computers. They did not

fully understand the arcane world of computer leasing. Barings made huge profits from derivatives in a far-off country. Don't rock the boat. Human nature will always incline

not to look a gift-horse too closely in the mouth. Human nature wants to avoid joint responsibility too. The role of that motive in modern management has not been questioned enough. Vast industrial empires have been built on the principle of devolving responsibility to managers of individual profit centres. Traditional companies are catching up as fast as they can, or faster.

Unravelling the centre, we are told, unleashes local managers' energies. It gives rein to initiative and frees them from the stifling burden of head-office bureaucracy. And so it does. But autonomy from head office only goes as far as the bottom line, often only the top line of the weekly, monthly or quarterly financial figures that managers of subsidiaries or departments must submit to the spiders at the centre of the web.

The pressure to meet the bottom line is intense. It can leave managers isolated and stressed, tax them beyond their abilities, tempt them to cut corners. You are on your own. If things go wrong, head office is not to blame. Forget Barings. That was only money. Remember the Herald of Free Enterprise.

Much of British business is, as a result, seriously undermanaged compared with big companies on the Continent or in Japan. In the days when many industries were managed by union

power, managers would complain, justly, that they spent half their time dealing with internal labour matters. That left them only half to manage their businesses, boost sales, develop new products, new markets and better ways to make things. If only we could devote all our time to managing, they said, how much better industry would perform.

In most such industries, union power has been blown away. What has happened? Costs have, indeed, been cut dramatically. But instead of devoting twice as much time, energy and thought to managing, businesses have fired half their managers. The line is as thinly stretched as ever. Anyone without a profit-centre, any middle-aged manager not likely to get to the top, is liable to have been scythed away. Even Royal Dutch/Shell, epitome of the monolithically competent multinational, is about to mow down layers of managers to cut costs. Let's hope they do not regret it.

Last week accountants Kingston Smith published a fascinating study of 600 owner-managed businesses, *How Companies Succeeded in the Recession*, by Professor Roger Hussey of Bristol Business School. Among its many insights three were particularly apposite. The businesses that survived best had experienced managers. They relied least on cost-cutting. And on average, those with non-executive directors maintained higher profit margins.

In such smaller firms, these non-executives are not the worthy watchdogs of the Cadbury code. Typically, they are experienced professional or business people whose expertise and advice is on tap and, if truth be told, on the cheap. They provide the back-up and support of unthreatening equals that any manager needs.

Managers of subsidiaries, the sharp end of big business, are being deprived of just this support while their parent plc boards are being stuffed with non-executives. Only a dynamic managing director and a finance director are required. And you can save even more money if you put the accountant or administrator in charge (or even the youthful derivatives trader). Accountability is a wonderful qualification for business. Many of our best managers are accountants. But being a good finance director does not make you a good manager.

In some modern groups, many fallible, isolated managers are really yesterday's bureaucrats, yes-men devoted to keeping the bottom line on budget. Even compliance officers, or their non-financial equivalents, may be seen as no-men, or no-women, trying to keep their noses clean, rather than team members and advisers sharing responsibility.

In such a culture, the awkward but vital "what-if" questions are all too often not asked. Until the crisis comes. Crisis management, ah, that's real management, just like the old days of industrial conflict.

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TRADING PERIOD: Settlement takes place ten business days after the day of trade. Changes are calculated on the previous day's close, but adjustments are made when a stock is ex-dividend. Changes, yields and price/earnings ratios are based on middle prices.

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1986	1985	1984	1983	1982	1981	1980	1979	1978	1977	1976	1975	1974	1973	1972	1971	1970	1969	1968	1967	1966	1965	1964	1963	1962	1961	1960	1959	1958	1957	1956	1955	1954	1953	1952	1951	1950	1949	1948	1947	1946	1945	1944	1943	1942	1941	1940	1939	1938	1937	1936	1935	1934	1933	1932	1931	1930	1929	1928	1927	1926	1925	1924	1923	1922	1921	1920	1919	1918	1917	1916	1915	1914	1913	1912	1911	1910	1909	1908	1907	1906	1905	1904	1903	1902	1901	1900	1899	1898	1897	1896	1895	1894	1893	1892	1891	1890	1889	1888	1887	1886	1885	1884	1883	1882	1881	1880	1879	1878	1877	1876	1875	1874	1873	1872	1871	1870	1869	1868	1867	1866	1865	1864	1863	1862	1861	1860	1859	1858	1857	1856	1855	1854	1853	1852	1851	1850	1849	1848	1847	1846	1845	1844	1843	1842	1841	1840	1839	1838	1837	1836	1835	1834	1833	1832	1831	1830	1829	1828	1827	1826	1825	1824	1823	1822	1821	1820	1819	1818	1817	1816	1815	1814	1813	1812	1811	1810	1809	1808	1807	1806	1805	1804	1803	1802	1801	1800	1799	1798	1797	1796	1795	1794	1793	1792	1791	1790	1789	1788	1787	1786	1785	1784	1783	1782	1781	1780	1779	1778	1777	1776	1775	1774	1773	1772	1771	1770	1769	1768	1767	1766	1765	1764	1763	1762	1761	1760	1759	1758	1757	1756	1755	1754	1753	1752	1751	1750	1749	1748	1747	1746	1745	1744	1743	1742	1741	1740	1739	1738	1737	1736	1735	1734	1733	1732	1731	1730	1729	1728	1727	1726	1725	1724	1723	1722	1721	1720	1719	1718	1717	1716	1715	1714	1713	1712	1711	1710	1709	1708	1707	1706	1705	1704	1703	1702	1701	1700	1699	1698	1697	1696	1695	1694	1693	1692	1691	1690	1689	1688	1687	1686	1685	1684	1683	1682	1681	1680	1679	1678	1677	1676	1675	1674	1673	1672	1671	1670	1669	1668	1667	1666	1665	1664	1663	1662	1661	1660	1659	1658	1657	1656	1655	1654	1653	1652	1651	1650	1649	1648	1647	1646	1645	1644	1643	1642	1641	1640	1639	1638	1637	1636	1635	1634	1633	1632	1631	1630	1629	1628	1627	1626	1625	1624	1623	1622	1621	1620	1619	1618	1617	1616	1615	1614	1613	1612	1611	1610	1609	1608	1607	1606	1605	1604	1603	1602	1601	1600	1599	1598	1597	1596	1595	1594	1593	1592	1591	1590	1589	1588	1587	1586	1585	1584	1583	1582	1581	1580	1579	1578	1577	1576	1575	1574	1573	1572	1571	1570	1569	1568	1567	1566	1565	1564	1563	1562	1561	1560	1559	1558	1557	1556	1555	1554	1553	1552	1551	1550	1549	1548	1547	1546	1545	1544	1543	1542	1541	1540	1539	1538	1537	1536	1535	1534	1533	1532	1531	1530	1529	1528	1527	1526	1525	1524	1523	1522	1521	1520	1519	1518	1517	1516	1515	1514	1513	1512	1511	1510	1509	1508	1507	1506	1505	1504	1503	1502	1501	1500	1499	1498	1497	1496	1495	1494	1493	1492	1491	1490	1489	1488	1487	1486	1485	1484	1483	1482	1481	1480	1479	1478	1477	1476	1475	1474	1473	1472	1471	1470	1469	1468	1467	1466	1465	1464	1463	1462	1461	1460	1459	1458	1457	1456	1455	1454	1453	1452	1451	1450	1449	1448	1447	1446	1445	1444	1443	1442	1441	1440	1439	1438	1437	1436	1435	1434	1433	1432	1431	1430	1429	1428	1427	1426	1425	1424	1423	1422	1421	1420	1419	1418	1417	1416	1415	1414	1413	1412	1411	1410	1409	1408	1407	1406	1405	1404	1403	1402	1401	1400	1399	1398	1397	1396	1395	1394	1393	1392	1391	1390	1389	1388	1387	1386	1385	1384	1383	1382	1381	1380	1379	1378	1377	1376	1375	1374	1373	1372	1371	1370	1369	1368	1367	1366	1365	1364	1363	1362	1361	1360	1359	1358	1357	1356	1355	1354	1353	1352	1351	1350	1349	1348	1347	1346	1345	1344	1343	1342	1341	1340	1339	1338	1337	1336	1335	1334	1333	1332	1331	1330	1329	1328	1327	1326	1325	1324	1323	1322	1321	1320	1319	1318	1317	1316	1315	1314	1313	1312	1311	1310	1309	1308	1307	1306	1305	1304	1303	1302	1301	1300	1299	1298	1297	1296	1295	1294	1293	1292	1291	1290	1289	1288	1287	1286	1285	1284	1283	1282	1281	1280	1279	1278	1277	1276	1275	1274	1273	1272	1271	1270	1269	1268	1267	1266	1265	1264	1263	1262	1261	1260	1259	1258	1257	1256	1255	1254	1253	1252	1251	1250	1249	1248	1247	1246	1245	1244	1243	1242	1241	1240	1239	1238	1237	1236	1235	1234	1233	1232	1231	1230	1229	1228	1227	1226	1225	1224	1223	1222	1221	1220	1219	1218	1217	1216	1215	1214	1213	1212	1211	1210	1209	1208	1207	1206	1205	1204	1203	1202	1201	1200	1199	1198	1197	1196	1195	1194	1193	1192	1191	1190	1189	1188	1187	1186	1185	1184	1183	1182	1181	1180	1179	1178	1177	1176	1175	1174	1173	1172	1171	1170	1169	1168	1167	1166	1165	1164	1163	1162	1161	1160	1159	1158	1157	1156	1155	1154	1153	1152	1151	1150	1149	1148	1147	1146	1145	1144	1143	1142	1141	1140	1139	1138	1137	1136	1135	1134	1133	1132	1131	1130	1129	1128	1127	1126	1125	1124	1123	1122	1121	1120	1119	1118	1117	1116	1115	1114	1113	1112	1111	1110	1109	1108	1107	1106	1105	1104	1103	1102	1101	1100	1099	1098	1097	1096	1095	1094	1093	1092	1091	1090	1089	1088	1087	1086	1085	1084	1083	1082	1081	1080	1079	1078	1077	1076	1075	1074	1073	1072	1071	1070	1069	1068	1067	1066	1065	1064	1063	1062	1061	1060	1059	1058	1057	1056	1055	1054	1053	1052	1051	1050	1049	1048	1047	1046	1045	1044	1043	1042	1041	1040	1039	1038	1037	1036	1035	1034	1033	1032	1031	1030	1029	1028	1027	1026	1025	1024	1023	1022	1021	1020	1019	1018	1017	1016	1015	1014	1013	1012	1011	1010	1009	1008	1007	1006	1005	1004	1003	1002	1001	1000	999	998	997	996	995	994	993	992	991	990	989	988	987	986	985	984	983	982	981	980	979	978	977	976	975	974	973	972	971	970	969	968	967	966	965	964	963	962	961	960	959	958	957	956	955	954	953	952	951	950	949	948	947	946	945	944	943	942	941	940	939	938	937	936	935	934	933	932	931	930	929	928	927	926	925	924	923	922	921	920	919	918	917	916	915	914	913	912	911	910	909	908	907	906	905	904	903	902	901	900	899	898	897	896	895	894	893	892	891	890	889	888	887	886	885	884	883	882	881	880	879	878	877	876	875	874	873	872	871	870	869	868	867	866	865	864	863	862	861	860	859	858	857	856	855	854	853	852	851	850	849	848	847	846	845	844	843	842	841	840	839	838	837	836	835	834	833	832	831	830	829	828	827	826	825	824	823	822	821	820	819	818	817	816	815	814	813	812	811	810	809	808	807	806	805	804	803	802	801	800	799	798	797	796	795	794	793	792	791	790	789	788	787	786	785	784	783	782	781	780	779	778	777	776	775	774	773	772	771	770	769	768	767	766	765	764	763	762	761	760	759	758	757	756	755	754	753	752	751	750	749	748	747	746	745	744	743	742	741	740	739	738	737	736	735	734	733	732	731	730	729	728	727	726	725	724	723	722	721	720	719	718	717	716	715	714	713	712	711	710	709	708	707	706	705	704	703	702	701	700	699	698	697	696	695	694	693	692	691	690	689	688	687	686	685	684	683	682	681	680	679	678	677	676	675	674	673	672	671	670	669	668	667	666	665	664	663	662	661	660	659	658	657	656	655	654	653	652	651	650	649	648	647	646	645	644	643	642	641	640	639	638	637	636	635	634	633	632	631	630	629	628	627	626	625	624	623	622	621	620	619	618	617	616	615	614	613	612	611	610	609	608	607	606	605	604	603	602	601	600	599	598	597	596	595	594	593	592	591	590	589	588	587	586	585	584	583	582	581	580	579	578	577	576	575	574	573	572	571	570	569	568	567	566
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An excellent opportunity has arisen for a 2-4 years' qualified company/commercial lawyer at one of the UK's leading law firms. The right applicant must have an exemplary academic record and good mainstream coo experience. In return you can expect to receive first rate pay and high quality work. Ref: T17628

For further information in complete confidence, please contact William Cook or Rebecca Errington (both qualified lawyers) on 0171-485 6862 (0171-727 7009 evenings/weekends) or write to them at Quarry Douglall Recruitment, 37-41 Bedford Row, London WC1R 4JH. Confidential fax: 0171-831 6394.



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£38,000+ Medium sized, City firm which places an understandable premium on personal skills now eagerly seeks assistants with 1-3 years' experience and solid grounding in corporate finance, private company and shareholders' agreement work. This department will provide unstinting support in a vibrant, pro-active set-up. No danger that this practice will not recognise your talents!

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£35,000 Ten strong intellectual property department seeks litigator with licensing and franchising experience to augment this immensely high flying unit. You will have roughly two years' experience in another central London firm and have ability to make contribution to this department's formidable reputation. You should have sound foundation in IP/trademarks work for a wide portfolio of clients.

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The above represents a small proportion of our recent instructions. For more information, in strictest confidence on these or other career opportunities please feel free to contact Hugh Kelly or Mark Field on 0171 588 7878 (0171 351 6832 weekends) or write to them at Kellyfield Consulting, Second Floor, Moor House, 119 London Wall, London EC2Y 5ET. Confidential fax: 0171 588 7020.

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- You won't see suits in our office, or the attitudes that so often go with them
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LAW

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Frances Gibb reports on Birmingham's legal revolution, and, right, on a solicitor-businesswoman's struggle

Boom time in the Brummie Bar

Birmingham is going through a quiet revolution. For decades, lawyers have had their sights trained on London. Now they are starting to think "homegrown". Clients who always headed for the capital for big commercial deals now use local law firms. And solicitors are briefing local counsel, who are rapidly developing the expertise to compete with London chambers.

Crucially, too, Birmingham is getting its own courts. First came Official Referees (the judges who deal with big construction industry disputes). Then in September 1993, the Birmingham Mercantile Court opened. Just before Christmas came the announcement that Birmingham (with Bristol and Cardiff) would be on a circuit for a High Court judge. Mr Justice Chadwick, going out to take chambers work. There is now talk that for the first time, judicial review cases will be handled outside London and Birmingham is the likely place.

It is the hub of the Midlands and Oxford circuit. Since the 1960s, when there were 65 barristers in the city, there has been massive growth. Now the Bar is 340-strong, in 13 sets including 5 Fountain Court, which, with more than 60 barristers, is the biggest in the country. There is also a substantial Bar in Nottingham, as well as sets in Leicester, Northampton, Oxford, Stoke and Wolverhampton — a total of 1,000. Two-thirds of these are in chambers on circuit and the rest, though part of the circuit, are in London sets.

Traditionally, the bread-and-butter work of the circuit Bar is crime and common law. The Criminal Bar still thrives, but most sets now do other work, too. Richard Wakerley, QC, leader of the circuit, says: "Birmingham was slow to respond to the needs of solicitors by building up specialist areas of work, but that is now happening."

For example, his set, 4 Fountain Court, has seen a rapid growth in civil and commercial work. It has specialists in banking, asset finance, mortgages, personal-injury work and consumer credit.

The Bar, once scorned about the

city, came together in 1965 at Fountain Court in Steelhouse Lane, close to the courts. Now it is outgrowing the building and three sets have moved into other parts of the city. There are also new courts: county courts in the Priory, along with the Mercantile Court, and the Queen Elizabeth II crown court building.

Despite the prospects for civil and commercial work, there are concerns. Chief of these at the Birmingham Bar, as elsewhere, is the competition in the criminal courts. There is strong support for the new system of legal aid fees, known as graduated fees, now being negotiated by the Bar and the Lord Chancellor's Department.



Richard Wakerley, QC, leader of the circuit

This, Mr Wakerley says, would improve much-needed cash flow by speeding up legal aid payments.

Recruitment policy in recent years has been geared to the growth of work. Competition is still tough for pupils, but one big difference from London is that most pupils, once taken on, tend to be retained as tenants. Mr Wakerley said: "When the Bar was smaller, you couldn't take on pupils, select those you wanted and leave the others high and dry. Other chambers did not have the resources to snap them up."

More than 40 pupils have been taken on annually at the Birmingham Bar in the past three years, a growth rate of 6 to 7 per cent a

year. A set such as Fountain Court will pick one or two pupils from 100 or more applications. But there is opposition to any kind of clearing-house system, as is now being looked at for the London Bar.

Rhona Campbell, 23, is one of the new recruits to the Birmingham Bar. Just six months after she became a tenant, her earnings this year are estimated to be £35,000. She chose the regional Bar deliberately because of "the problems in London" and 4 Fountain Court offered her a place. She does a mixed workload of crime, civil and commercial but her practice is taking off, particularly in civil law. She is already handling county court trials (such as personal injury claims of up to £10,000).

Her earnings are unusually high: the average at her level would be nearer £25,000 a year, especially for those doing crime. The life, she says, is good. "To some extent," she says, "you're always going to be the person sent to Hereford at 4.30 on a Friday. But compared with my London counterparts, there seems to be lots of good-quality work. I'm in court every day."

The work involves travelling further afield than in London. The Bar in the city covers Wolverhampton and the whole Black Country, as well as Stoke, Warwick and Coventry, while the eastern side — Lincoln, Northampton and Peterborough — is roughly covered by the circuit's chambers in London. But she says: "The travelling is probably easier."

She has no plans to head for the capital. "I am not aiming to be a specialist of the kind that would require me to be in London."

The days are also gone, Mr Wakerley says, when it was "off to London" once you had taken silk. "I hope the idea that not all work has to go to London will grow," he adds. "I'm feeling very positive. There have always been solicitors who want to use London counsel, but the object of a local Bar is to provide a service for the professional solicitors and the lay client. There is an increasing demand for that specialist work to be done in Birmingham... and the Bar needs to meet that demand."



Rifat Mushtaq: "I had been qualified for five years, and it had always been my vision to run my own practice"

Rifat Mushtaq's office is as far from the sumptuous marble and chrome settings of City of London solicitors as you could find. In the heart of Birmingham (five minutes from New Street station), her premises are squashed next to the local Labour Party. Inside, the cheaply carpeted rooms are divided by flimsy partitions and sparsely furnished. That she is there at all is a mark of her tenacity in the face of a series of obstacles that would have put many another firm under.

Just 18 months ago, Ms Mushtaq, 37, decided to set up on her own. "I had been qualified for five years," she says, "and it had always been my vision to run my own practice." Her daughter, 18 months, had started at full-time nursery. Then she spotted the centrally positioned premises.

She received a £2,000 enterprise grant from the council, but the rest of the backing came from savings and family. "No banks would lend to me, despite my submitting a detailed corporate plan," she says.

Tough fight for survival

"So for the first year I ran without an overdraft facility."

She now has seven staff (four fee-earners), and a mixed practice (legal aid and private) with a specialist service in VAT appeals work, a growing area.

Choice of work has been crucial. As well as the VAT, she deliberately chose criminal legal aid because the payments are more regular than with civil legal aid. Conveyancing, too, the firm handles, but it cannot be relied on.

There was also, then, the problem of attracting the right staff at the right salaries. Ms Mushtaq was lucky enough to secure two experienced practitioners, one in crime, the other in housing. But she says: "At the end of the month,

you have to meet that wages bill. And for the first few months you get no return from the fee-earners."

Just as the firm was getting on its feet, disaster struck. Mushtaq & Co fell foul of a Legal Aid Board investigation of Birmingham firms suspected of legal aid "green form" (advice) abuse, and in June, without warning, the board told her the firm's account was being frozen and that no more payments would be made. She recalls: "It happened just like that. It was a terrible blow — but we weren't the only ones. It could have put us under."

Visits from the board and scrutiny of files followed. At the time, there was concern about firms canvassing for legal aid clients. "It turned out that some green forms

had been put through people's doors. I now make sure I see every green form myself."

Eight weeks later, the suspension was lifted. "During that time," she says, "I needed up to £5,000 a month to meet wages, drawing nothing myself."

Then, two days before Christmas, came a call to say the premises were on fire. Several thousand pounds' worth of cleaning and redecorating had been spent when she took on the rent; now much needs redoing to repair the estimated £25,000 damage. A man has been charged with arson.

But she intends to battle on. She also hopes to make the Labour Party shortlist for Edginstown or Bradford and she plans to expand: the Law Society's indemnity insurance weighs heavily against small firms and she can cut her premium if turnover reaches £500,000 a year. "At one stage, I wondered whether it was worth it. But I won't give up. I've put too much money in — and there's a hard core of work getting bigger all the time."

Edward Fennell sees a lot of growth in England's second city

As manufacturing spearheads the export-based mini-boom, it is only right that Birmingham, heart of the engineering industry, should be this year's favourite city for legal development. Garret & Co., the hotshot protégé of the accountants Arthur Andersen, has announced it will open offices in Birmingham in the summer. Meanwhile, Dibb Lupton Broomhead, the Yorkshire-based national firm, is quickly building up its Birmingham team, cherry-picking from local rivals and bringing in expertise from London.

But the biggest symbol of Birmingham's growing strength was the announcement in the new year that American Airlines is launching a daily service from Chicago. At a dinner hosted last week by the Birmingham law firm Wragge & Co., which had been instrumental in setting up the deal, the great and the good of the city gathered to welcome the top executives from American.

Traditionally, there have been four main law firms in the West Midlands — Wragge's, Eversheds, Pinsent & Co. and Edge & Ellison. Other leading legal

Beyond the city boundaries

centres may have had difficulties, but relations between these firms have always been cordial — some would say to the point of cosiness. Will that generosity of spirit be extended to Dibb Lupton Broomhead, in Birmingham for just over a year, and to Garret?

John Winkworth Smith, the local managing partner of Dibbs, has gone to the city after spending 30 years in Sheffield. He said: "I've had a friendly reception but have been viewed with a certain degree of suspicion."

These suspicions may be justified. Dibbs, as elsewhere in the country, is intent on growth. With its hard-nosed business approach, it believes it can attract high-achieving young partners

from other firms who are tired of Brummie parochialism. The truth is, however, that Birmingham's top four firms have all got strong national and international practices.

Digby Jones, the senior partner-elect at Edge & Ellison, says: "I'm considering opening offices in four other cities. The time has come for us to develop national coverage, but we shall do so only where we can find a perfect fit with local firms." Edge & Ellison is intent on turning the tables on Dibbs by playing the Leeds firm at its own game.

Mr Jones shares with John Crabtree of Wragges and Julian Tonks of Pinsents a deep Brummie allegiance. "More than half my fellow partners were born, brought up and educated within five miles of this office," says Mr Jones. "In addition to wanting the firm to succeed, I am equally keen that Birmingham should do well."

The top gossip in Birmingham last week, however, was of a possible merger between Pinsents and the Leeds firm Simpson Curtis. The sifting of the headquarters of such a merged firm would require the judgment of a Solomon.

and Peter Desmond Philip FitzGerald, the two Fladgates partners, are cousins and both farmers' sons.

THE reception for barristers at Gray's Inn arbitration room next week being hosted to forge student contacts with chambers ahead of the scramble for places is being held by City University students, not City of London Polytechnic, as reported last week.

Spare a penny...
A survey by recruitment consultants Quarry Dougal of London firms with more than 25 partners found that only a fifth give paid paternity leave and 14 per cent do not operate a pension scheme.

SCRIVENOR

A model court

THE Lord Chancellor, Lord Mackay of Clashfern; the Lord Chief Justice; the Master of the Rolls and the Attorney-General were among the top legal names who went to last week's Guildhall reception to commemorate the centenary of the Commercial Court. Mr Justice Porter, currently its chairman, said that like his predecessors he was determined to maintain its reputation for "user-friendly" justice.

The court had always sought to adjust procedures to keep pace with the demands of commercial litigation. QC, as Christopher Clarke, QC, said, it was created to combine

judicial expertise with efficient procedures "unburdened by the dead weight of legal formalism, archaic practices or a lack of grip on commercial reality".

The proof of its success is that Lord Woolf is now looking towards the court as a model for some of his proposed forthcoming reforms for the civil courts generally.

Under-esteemed

MR Justice Wall, a High Court judge in the Family Division, attacked the "low esteem" in which family judges and their work are held com-

pared with other High Court divisions when speaking last week to the Council for Family Proceedings AGM.

The work of family High Court judges was as taxing and broad as any other, yet it was not "perceived to have the importance or status which crime or other civil litigation is deemed to have".

Country cousins

AN agricultural merger: the partners in the agricultural estates team at the London solicitors Fladgate Fielder this week join Wilsons in Salisbury. Peter Robin FitzGerald

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QUEEN'S COUNSEL



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We welcome applications from candidates qualified in the UK or abroad at the 2-4 year ppe level who have an ambition to join in our future. Fluency in a foreign language would be most valuable.

Please call Jonathon Hill on 0171 832 7325 or write to him at 65 Fleet Street, London EC4Y 1HS.



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Alternatively, for an initial discussion in complete confidence, please contact Gareth Quarry, Deborah Dalgleish or William Cook of our consultants Quarry Dougal Recruitment, on 0171-405 6062 or write to them at 37-41 Bedford Row, London WC1R 4JH.

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Allen & Overy's corporate tax department makes a major contribution to the firm's practice, dealing with the full range of transactional and advisory work for corporate and financial clients. There is an increasing variety of innovative and technically demanding transactions with a heavy emphasis on constructive and creative tax input. We are committed to the development of our corporate tax capability and we currently have the following opportunities:

STRUCTURED FINANCE

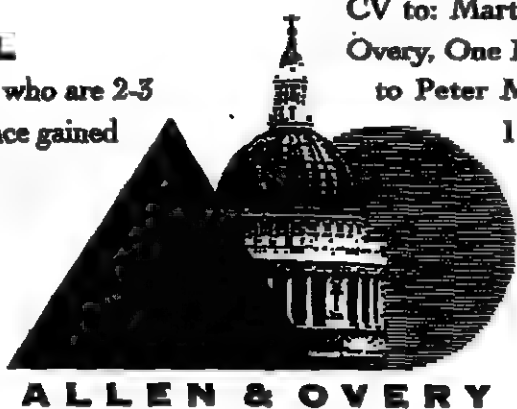
We are looking for high calibre assistants with experience in securitisation, finance leasing or structured finance generally, who are at least 4 years qualified.

GENERAL COMMERCIAL

We are looking for high calibre assistants who are 2-3 years qualified with corporate tax experience gained in a leading firm.

We can offer you the highest quality work, real responsibility and the opportunity to make full use of your potential.

If you would like to be considered, please write with full CV to: Martin Pexton, Director of Personnel, Allen & Overy, One New Change, London EC4M 9QQ, or speak to Peter Morris at Brewer Morris, Ludgate House, 107 Fleet Street, London EC4A 2AB, telephone 0171 936 2040.



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City practice requires a further commercial litigator with a strong academic record and between 2-3 years' relevant post qualification experience to deal with all aspects of commercial litigation.

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Our Crown Court department is expanding and we now require a further advocate. Applications are invited from barristers of at least 2 years call, who have a good criminal law background and who are willing to qualify as solicitors.

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There is also the opportunity to take a six year qualified assistant for a partner designate role. (Ref:4337)

TAX 2+ TO £65,000

Well managed City firm seeks a number of assistants for its expanding Tax Department, which advises blue chip clients on all aspects of corporate tax and VAT. Unusually broad spread of work and a relaxed, open door environment. It is essential to have at least 2 years' relevant experience with a desire to be involved in ongoing complex tax issues.

There is also the opportunity to take a six year qualified assistant for a partner designate role. (Ref:4337)

CORPORATE PARTNER - KIEV £60,000

Leading international firm seeks to recruit an additional partner/senior assistant to add critical mass to its busy Kiev office. Work is a general mix of corporate and commercial for large multinationals and local subsidiary companies. The firm envisages a minimum three year commitment with a view to returning to the London partnership thereafter. (Ref:4322)

INSURANCE/FRAUD LIT £CITY

Exceptionally strong litigation practice in busy City firm seeks additional litigator to join general group. Immediate involvement in solicitors' negligence, corporate fraud, insolvency and more general insurance disputes. Ideal level is 3-4 years and previous involvement in large scale international litigation is essential. Good opportunity to join high profile group at a firm renowned for lack of lag time. (Ref:4334)

PROPERTY LIT £COMPETITIVE

High profile residential firm with strong reputation in the litigation sphere seeks additional property litigator. Ideal level is 1-4 years' post although newly qualified with directly relevant experience in residential will also be considered. Individuals must have strong academic credentials, a lively, outgoing personality and, ideally, a top City firm background. Excellent opportunity with immediate and direct client contact at a well managed firm offering a highly competitive salary and a uniquely informal working atmosphere. (Ref:3872)

SENIOR CONSTRUCTION TO £70,000

Medium-sized London firm seeks to recruit a senior construction specialist as partner or senior designate level. Existing dedicated group with mix of commercial and non-commercial work which already acts on behalf of first rate clients. Individual must have a high profile in this area and have a demonstrable record in attracting top quality work. Genuine gap at partner level and opportunity for involvement in managing the group. High level of remuneration envisaged. (Ref:4342)

INSURANCE TO £55,000

Top ten firm with one of the City's most highly regarded corporate practices seeks non-commercial insurance specialists, 4-6 years qualified. As part of the Corporate Department, the successful candidate will advise a range of clients including life insurance companies, brokers, intermediaries and actuaries on a range of company/commercial insurance issues. Key appointment in specialisation offering excellent long term prospects. (Ref:4338)

EMPLOYMENT MIX TO £40,000

Well established medium-sized City firm with busy Employment Group seeks further assistance to join high profile department. Work comprises interesting mix of commercial and non-commercial with the opportunity for immediate responsibility in a relaxed environment. Ideal level is 3-5 years and demonstrable communication skills are essential. (Ref:4347)

ECONOMICS - BRUSSELS EXCELLENT

Small, informal Brussels office of well regarded medium-sized City firm seeks additional assistant for minimum 2 year position. Candidates must have an excellent academic background and mix of law earning work will include IP, IT, pharmaceuticals, telecoms and media media. Ideal level is 1-3 years' post. An outgoing, proactive personality and good interpersonal skills are essential. (Ref:3390)

PROPERTY TO £30-45,000

Leading medium-sized City firm requires an additional assistant to participate in high profile development work within its expanding Property Department. Firm has a pre-eminent reputation in the property field and the ideal candidate will come from a similarly regarded firm. Clients range from developers, investors and retailers to banks and institutions. Outstanding opportunity for 1-4 year qualified lawyer with good academic, enthusiasm and flair. (Ref:3741)

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The above represents a small selection of the vacancies presently registered with us. To find out more, in complete confidence, please contact Andrew Russell, Lisa Hilder or Miranda Smyth (all qualified lawyers) on 071-377 0510 (071-733 1815 evening/weekends) or write to us at Zarak Macrae Brenner, Recruitment Consultants, 37 Sun Street, London EC2M 2PY. Confidential fax: 071-247 5174. E-mail andrew@zmb.co.uk

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The Experience At least 6-8 years' post qualification combining acquisitions, finance (preferably equipment leasing) and transactional work gained at a top rated commercial law firm and possibly in-house.

The Individual A UK or foreign qualified lawyer of partner quality who can demonstrate a genuine ability to provide user-friendly, business orientated, timely and high quality legal advice.

The Benefits An excellent compensation package and long term career opportunities in the UK and internationally with other group companies.

For further information in complete confidence please contact Sally Horrocks or Jonathan Macrae on 0171-377 0510 (evening/weekends 0171-731 4858) or alternatively, write to us at Zarak Macrae Brenner, Recruitment Consultants, 37 Sun Street, London EC2M 2PY. Confidential Fax 0171-247 5174. E-mail sally@zmb.co.uk

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COMMERCIAL PROPERTY to c. £50,000

This medium sized city firm has a varied and interesting portfolio of lending, and developer clients. They require a high calibre commercial property lawyer up to four years' admitted with good client liaison skills. Excellent prospects.

CORPORATE FINANCE £32-£35,000

Our client is a major city firm with a strong international profile. They require a solicitor with two years' corporate finance experience gained in a blue-chip environment to strengthen this busy and successful team.

IT/COMMUNICATION c. £42,000

Prestigious city practice seeks a three year qualified assistant to work in the fast-moving IT environment. Some relevant experience preferred, but solicitors with a sound commercial background and a high level of commitment to IT will be considered.

LANGUAGE SKILLS 6 months - 5 years

We are instructed by a number of firms seeking commercial lawyers with a good command of a second language. Exciting opportunities exist both in the U.K. and overseas for German, Russian, Polish and Japanese speakers.

LITIGATION £50,000 +

Central London firm with outstanding international commercial litigation practice, requires a litigation assistant up to five years' qualified with experience in arbitration work. There will be considerable opportunities for advocacy.

PARTNER DESIGNATE £150,000 +

This high profile Central London firm is seeking a personable solicitor with heavyweight experience in general commercial work - ideally with a media or communications bias - to help develop their growing client portfolio. Immediate partnership is a possibility for the right candidate.

The above list represents a small selection of our current instructions. For further information, or for a confidential and informal discussion please contact: Simon Anderson at the above address or by telephone: 0171 353 7007 or confidential fax: 0171 353 7008

Lecturers/Senior Lecturers/
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(two posts: ref 890/1)

This expanding Law Department is committed to learning, teaching and research excellence. Two posts are available at lecturer, senior lecturer or reader level. Preference will be given to applicants with an interest in the core areas of the law syllabus and for the senior posts a consistent record of research and publications is essential.

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مركزنا للأعمال

Press intrusion: a call, below, for a novel system of settling disputes, and right, a newly discovered privacy ruling

Trial by the media

When Mirror Group Newspapers wisely settled the privacy action brought against it and Bryce Taylor by the Princess of Wales over unauthorised photos of her exercising in a gym, the tabloids were denied the court case of the century. The media in general was, however, spared an ordeal that would have focused on journalistic intrusion.

But the question of privacy and the reform of media law will not go away: this year could see further government threats of intervention after exposure of ministerial indiscretions. Though publication of the Lord Chancellor's consultation paper on a new tort of privacy (July 1993) may be shelved, the Heritage Department's forthcoming White Paper on media self-regulation is likely to have something to say on the limited powers of the Press Complaints Commission, and may well produce proposals for the introduction of criminal offences, as suggested by the Calcutt press self-regulation review, relating to use of long-lens cameras on private property and bugging of conversations.

Whatever may or may not happen under the present Government, a Labour government seems almost certain to incorporate the European Convention on Human Rights into domestic law. Sooner or later British judges will be pronouncing on human rights cases without the parties having to embark on a seven-year trek to the European Commission of Human Rights and on to the Court of Human Rights in Strasbourg. It also means that the interplay between the right of free speech under Article 10 of the Convention and privacy under Article 8 will become a live issue. Lord Mackay of Clashfern's recent statements about media law reform will become a reality and the media will have to decide whether the beneficiaries of the new fundamental human rights introduced into do-

mestic law are to be lawyers or the man in the street.

Less adventurous reformers may believe that it is simpler to let Lord Woolf, with his review of civil justice, try to sort out the mess of our adversarial civil legal system with its expense, delay and inconvenience. There cannot, however, be a single media editor who relishes the prospect of privacy actions going the same way as libel actions have done over the past ten years.

The media generally should — while keeping the Press Complaints Commission and Broadcasting Complaints Commission as two effective "alternative dispute resolution" mechanisms — seriously consider setting up an informal arbitration service for those complaining about breaches of privacy and/or damage to their reputations. This alternative to High Court privacy and libel actions should be funded by the media.

This would be quick, informal and not expensive

If the press and broadcasting gave this commitment, it might head off the Lord Chancellor's introduction in the next few years of contingency-fee type arrangements for libel actions. While helping those who cannot afford an expensive libel action, this would lead to a far worse injustice: newspapers having to pay up and apologise rather than having to fight costly actions where there was no real chance of recovering crippling defence costs from an impecunious plaintiff.

The quid pro quo for industry funding of a media arbitration service would be a legal right for newspapers and broadcasting companies to apply to the High Court to have the simpler libel and privacy actions transferred to this arbitration service. This would be quick, informal and inexpensive but there would be a limit on the damages and costs which the arbitration panel could award — a maximum of £5,000 for general hurt and suffering and £2,500 in costs.



A future White Paper could give guidelines on the use of long-lens cameras on private property

However, it would be possible for the claimant to claim for special damages if he or she had been damaged in their trade or profession. As in press or broadcasting commission complaints, media companies would be obliged to carry a "fair and accurate" report of the arbitrators' findings.

Before contemplating funding such a privatised arbitration system, media executives will need to be reassured that they are not creating a whole new class of litigant. This would not happen if complainants had to lodge the cost of a High Court writ — £100 — with a press or broadcasting ombudsman before the papers were reviewed to see whether the claim raised a good enough prima-facie case for it to be sent off to a three-person panel of adjudicators.

The Times has just completed an arbitration along precisely these lines. Patricia Guppy, the wife of Darius Guppy, the Old Etonian jailed for faking a jewel robbery,

was deeply unhappy about articles in *The Times* on how her husband's trustee in bankruptcy would be interviewing her about her husband's missing millions. After issuing a High Court libel writ, the action could have cost both her and the newspaper substantial sums in contested hearings on the meaning of the articles.

Wise, and on her solicitor's advice, both parties agreed to refer the issue of what the articles meant to a three-person arbitration panel chaired by Desmond Browne, QC, an experienced libel silk.

By agreeing to arbitration at this early stage, both parties were spared huge legal costs. Mr Browne and his two fellow adjudicators found that while the articles were capable of being defamatory, in the final analysis they were not and did not reflect badly on Mrs Guppy. The cost to the newspaper of funding the arbitration, as against

what could have been a long and extremely expensive High Court action, was less than £2,000.

It is cases such as this and Mr Justice Poplewell's libel case against *Today*, when he was awarded only £7,500 for a serious allegation, which should convince the media that the time has come to "privatise" disputes of this kind. The High Court lottery system, enormously expensive to the media and the Government, is little more than a gravy train for overpaid barristers and solicitors. If simple actions went to the media arbitration tribunal, only the really heavyweight libel or privacy actions would be left to the vagaries and vicissitudes of a High Court action.

ALASTAIR BRETT

● The author is a Company Solicitor at The Times. His views on media law reform and arbitration do not necessarily represent the views of Times Newspapers or News International.

Decision that was filed under F for forget it

It's official — the law of privacy is alive and well. Better still, "this fundamental right... has for centuries been recognised by the common law", according to Lord Scarman. Curiously, this judicial pronouncement was made in the House of Lords 15 years ago, when the legal profession to a man would have advised that no British right of privacy exists, as it would probably also do today.

The debates of the past decade over how to cover the apparent gap, the wringing of judicial hands over the resulting injustices, and the prodigious intellectual energy lavished on seeking a solution have taken place in ignorance of the decision of *Morris v. Beardmore*, reported in 1980.

Lord Scarman's wholehearted endorsement of a right of privacy means that those with grievances, such as the actor Gordon Kaye, can now look forward to a meaningful remedy, rather than the extremely limited injunction, combined with its sorrow and sympathy, which was all the Court of Appeal felt able to afford him in 1990. Kaye had been photographed and interviewed in his private hospital room after brain surgery, when he was in only partial command of his faculties, and he wanted to prevent the *Sunday Sport* from publishing the fruits of what they described as "a great old-fashioned scoop". It goes without saying that the Royal Family's hand in its frequent skirmishes with the press over the years would likewise have been immensely strengthened had *Morris v. Beardmore* been an available legal weapon.

How is it that the case lay undiscovered for so long? The sad truth is that having been decided on July 17, 1980, it was inadequately indexed in the law reports. As one of a series of decisions on the technicalities of the breathalysers laws, the headnote focuses purely on the fact that police investigating a damage-only road accident have no authority to request a breath test in the home of a driver where, because he has asked them to leave, they are trespassers.

In the indexes to the *Law Reports* and *All England Law*

Reports, the case is mentioned by name under the "Road Traffic" heading, and the *All England* index includes a cross-reference, albeit without naming the case, under the heading of "Trespass".

It is not mentioned under "Privacy" in either (a heading, incidentally, which does not feature in the *Law Reports* index at all). Of the five law lords involved, four — Lords Edmund-Davies, Keith, Scarman and Roskill — made the invasion of individual privacy, a wider concept than the law of trespass, the basis of their decision. Lord Scarman's analysis is worth examining in detail.

In... restoring the decision of the magistrates, who acted with excellent judgment in dismissing the charges, I have deliberately used an adjective which has an unfamiliar ring in the ears of common lawyers. I have described the right of privacy as "fundamental". I do so for two reasons. First, it is apt to describe the importance attached by the common law to the privacy of the home... Second, the right enjoys the protection of the European Convention for the Protection of Human Rights and Freedoms, which the United Kingdom has ratified. The present appeal is concerned exclusively with the suspect's right to the privacy of his home... (it turns on the respect which Parliament must be understood, even in its desire to stamp out drunken driving, to pay to the fundamental right of privacy in one's own home which has for centuries been recognised by the common law).

Now that this gem and germ of potential legal development has been spotlighted, the profession can think again. Sir David Calcutt, and the British press, can add to the arguments against the introduction of a statutory law of privacy the fact that it already exists at common law. University lecturers can hold seminars and devise complicated examination questions on the subject, and the man on the Clapham omnibus can be pleased that his civil rights have been sensibly and significantly safeguarded.

ANTONY WHITAKER

● The author is Legal Manager of Times Newspapers. (1993) 3 W.L.R. 263, [1980] 2 All E.R. 773, [1980] A.C. 486

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GALLERIES page 36
An ambitious show of
Picasso's animal
images opens a new
arts centre in Croydon

ARTS

DANCE page 38

John Auld is a harmless
Doctor Coppelius in
Birmingham Royal
Ballet's new production



Battersea power situation

The chance to do more than just act has drawn Susannah York to fringe theatre once again. Michael Arditti reports

Nothing reflects the change in London theatre more clearly than the location of its stars. Gone are the great Shaftesbury Avenue consoling of 30 years ago. Indeed, Maggie Smith and Felicity Kendal are the only two indisputable star females currently to be seen in the West End. Janet Suzman, Claire Bloom and Diana Rigg have recently worked in Islington, north London, while in the past year Battersea, in the southwest, has hosted performances by Vanessa Redgrave, Susan Hampshire and now Susannah York — who claims credit for blazing the trail. "I started the move with *The Singular Life of Albert Nobbs* in 1978. My agent was very unsure. You weren't getting proper fees. And a lot of people judge you by what you earn, especially in America."

She has since made regular visits to the Fringe in Kleist's *Penultimate*, her own translation of Cocteau's *The Human Voice*, and Daphne du Maurier's *September Tide*. Now she returns to the Latchmere in a new one-woman play, *Independent State*. She believes that the quality of such work offsets the lack of remuneration. "You get asked to do interesting projects, not projects you can be sure about. There's a feeling of danger. You can take risks because there haven't been great outlays of money. You can do plays which, unless you're at the RSC or the National, you'd never have a chance to do."

She has never acted with either of the two main subsidised companies: although "I was asked to play *Tianan* by Bill Alexander. But the kids were at school; and I couldn't go up to

Stratford for six months." Nevertheless, she has always tried to balance appearances in modern and classical drama. "I've just played *Ranevskaya* in *The Cherry Orchard*. It was such heaven to play a part that's been tested; they stand up so well as characters. There again, it's very exciting to think that you're breaking new ground. I love to work with writers."

Working on the Fringe also allows her a far greater measure of control than she would have in the commercial theatre or one of the large companies. "I'm very interested in creative producing. I can't get to grips with the money, but I like the idea of getting things done."

She has been involved with *Independent State* since its inception, having solicited the script from a literary agent after the offer of a British Council tour. "I read quite a few plays. This one really grabbed me. She's such a terrific character, Patty O'Brien, a woman who wanted to be a country-and-western singer in her teens. She played a few clubs and then got married and sucked into the system. On the outside, she led an incredibly drab and grey life; but she had a very rich *vie intérieure* to do with her dreams and fantasies. She was very earthy, very funny. She reminded me of *Mehitabel* in the *Dom Marquis* stories, the allegory who comes in from dreadful adventures, bloody but unbroken."

Having committed herself to the play, she worked on it for a year with the author, Mark Davies. "It's only through talking and talking to Mark that we've got it right. I've been a good sounding-board. He's written it



"I didn't have any musical education, so I don't understand about bars and when to come in," Susannah York says about her new role as a country singer

round and for me. The beginning and end and where it takes place — a room in Nashville — haven't changed; but much else has."

The most crucial change has been the character's background. "She started life as a Liverpudlian from Bootle; she became an Irish Catholic from Fulham. It's to do with the fact that I want to travel with the play. The Liverpudlian accent is hard in Europe, whereas the Irish allows more lyricism."

One of the greatest challenges of the role has been the inclusion of country songs. "I didn't have any musical education, so I don't understand about bars and when to come in. I don't have such a problem hitting notes, but I'm always about three miles ahead."

Her creative contribution comes as no surprise — it was much the same when, as a young actress, she first appeared in films. "What you were given to say was often so banal that you rewrote it," she says. Even then,

she was not cowed by reputations. Her second film, *Freud*, was made with Montgomery Clift for John Huston. "Huston would write scenes for us and this purple dialogue would pour out. Money and I would go back to the hotel and gaze and groan and rewrite it. It stuck in your gut."

Later, she originally turned down her Oscar-nominated role in *They Shoot Horses, Don't They?* because she considered the part lacked truth. "I felt it was a wonderful story; but I couldn't play the character as written. I wrote a 20-page letter to James Poe [the original director] about her; and I got really excited because the character was starting to emerge. Then, when Sidney Pollack came on board, he read my letter and was very pleased with the direction the character was taking. So we went ahead."

The process was similar with her favourite film, Robert Altman's *Images*, for which she won the Best Actress award at Cannes. "When I first read the script, I thought I can't

play this part. I don't know this woman, what she is and does and dreams. Bob said: 'I have to wait and find my actress and see what happens.' It was a great collaborative effort."

They recently renewed their collaboration by working together on the first draft of *Prêt-à-Porter*, in which York's daughter plays a small role.

Collaboration is the key to all York's work, whether on stage or screen. "What I love is the co-operative nature: getting together to put something on, to explore." With that in mind, she will remain at the Latchmere, after *Independent State* closes, to direct a new American double bill. "It's very inspiring seeing people coming through to the best of themselves. And it's a million times more exciting than doing *Trainer*."

Independent State is at the Latchmere Theatre, 503 Battersea Park Road, SW11 (071-223 3599) from tomorrow until April 2 (except Mondays)

CONCERTS IN LONDON

Finest funeral of 17th century

Music for
Queen Mary
Westminster
Abbey/BBC

TREMORS of mortality shook the Abbey on Sunday, on the 300th anniversary of Queen Mary's funeral there. But had it not been for Purcell we would doubtless have forgotten all about it. Thomas Shadwell was, after all, expressing something of a fond hope when he wrote that "No more shall we the great Eliza boast. For her great name in greater Mary's will be lost."

Those lines, from the end of Purcell's *Birthday Ode* Now does the glorious day appear, were given the lie within minutes on the same evening, as the capacity audience thrilled to the austere beautiful music of Thomas Morley, emblem of the incomparable musical achievement of the first Elizabethan age.

Bruce Wood's research on Purcell's *Funeral Music* for Queen Mary two years ago has made it de rigueur to perform it hand-in-authentic-glove with Morley's *Burial Sentences*. The effect is stunning: Purcell's own *Thou knowest, Lord* breathes out from the last note of Morley's *In the midst of life*. And Morley's *I heard a voice* tunes sweetly into Purcell's dying fall.

This sequence, performed with steady sobriety by the Westminster Abbey Choir and the New London Consort, was the centrepiece of Martin Neary's dignified re-creation of the complete *Funeral Music*. Re-creation is a peculiarly tricky thing, and never more so than when the combined technical prowess of BBC2 and Radio 3 is on hand. Those at home may well have had a more authentic *Funeral Experience* than those of us instructed by clergy, dazzled by lights and mesmerised by TV monitors.

But nothing could distract from the singing of Emma Kirkby, from counter-tenor Michael Chance's "beauteous softness" with theobro, and from the exquisite fusion of word and musical phrase in Ian Bostridge's performance of Blow's *The sullen years* are past.

HILARY FINCH

Birthday fizz

LSO/Boulez
Barbican

THESE are halcyon days for the London Symphony Orchestra. Two more instalments, last Thursday and Sunday, in its Pierre Boulez seventeenth birthday celebrations brought two more packed houses and two programmes that combined refined pieces by the master with other great pieces of our own century.

On Thursday there was a cool, beautifully balanced reading of Ravel's *Le tombeau de Couperin*, music whose refinement points the way to the kind of artist that Boulez is. It is the colours that dictated Boulez's natural pacing of each movement here. But nothing would have been possible without the orchestra's meticulous concentration. This was an exhibition of refinement par excellence — as, in Sunday night's concert, was the LSO's performance of the same composer's rather less abstract *Mother Goose Suite*.

Kyung Wha Chung crowned the first concert with magnificent playing in Bartók's Second Violin Concerto. So often the concerto seems a ritual where one party is heliborn on exhibi-

tionism and the other merely fulfils what it sees as a second-fiddle duty. There was none of that here. If Bartók had to be in one concert, Stravinsky had to be in the other: in this case the original, 1911 version of *Petrushka*. The brusque intercutting from one scene or mood to the next is not dissimilar to the juxtaposition of contrasting blocks of sound in the enraptured celebration of nature which is Messiaen's *Chronochromie* of 1960, heard earlier. And Boulez's own delight in contrast was exemplified by the performance here of his gift to Paul Sacher on the latter's own seventeenth birthday in 1976, *Messagequise*, for seven cellos, six of which accompany the line of the principal soloist.

Rostropovich was due to take the limelight but withdrew because of flu. But the LSO's new joint principal cello, Timothy Hugh, stepped into the breach with accomplishment.

STEPHEN PETTITT

Hooray for Hollywood

John Gregory Dunne writes films so
that he can afford to write books.

With the latest of the latter in the
shops, he talks to Clive Davis



John Gregory Dunne happily bucks the studio system

John Gregory Dunne knows a fair amount about the mores and manners of the dream factory. He has made a living from the film industry, on and off, for the best part of 30 years, and until recently he lived in a low-key celebrity neighbourhood in Los Angeles. Mike Ovitz, agent-cum-potential, was one of his neighbours; Rob Reiner lives on the same street; Jane Fonda grew up there. Today the area is better known as the home of O.J. Simpson.

With his wife, the writer Joan Didion, Dunne sold up and moved to New York in 1988. Dunne himself has the reassuringly casual look of the professional writer, but one who is still plugged into the system. He can point to an armchair in his apartment and say, matter of factly: "Robert Redford was sitting there yesterday."

They are working together on a film which is due to start production in a matter of weeks. Michelle Pfeiffer will co-star. Dunne and Didion are busy with rewrites which have to be faxed out to who knows where. The film, called *Close Up and Personal*, is loosely based on the true story of a news anchorwoman who burnt out, took drugs and died young. Dunne began work on the first draft seven years ago. He delivers a graphic insider's account of the star system in his novel *Playland*. In his

tangled, elliptical narrative are intertwined the stories of two human failures — Blue Tyler, a profane, fornicating, double-dealing and sex. Driven along by unlikely coincidences, the plot delves deep into the conventions of melodrama. The vigorous, hard-boiled prose and the clever juggling of narrative voices help to keep the story from toppling into absurdity. And there is fun to be had from seeing actual celebrities — from Walter Winchell to Car-

later, she is a bag lady living in a trailer park in Michigan. The inquiry draws Broderick into a world of gangsters, double-dealing and sex. Driven along by unlikely coincidences, the plot delves deep into the conventions of melodrama. The vigorous, hard-boiled prose and the clever juggling of narrative voices help to keep the story from toppling into absurdity. And there is fun to be had from seeing actual celebrities — from Walter Winchell to Car-

ole Lombard — woven into the story, as well as trying to determine whether, for instance, the camp, gossip film director Chuckie O'Hara is based on George Cukor.

Dunne denies that he set out to write a *roman à clef*, but admits that he drew part of his initial inspiration from real characters. One of his clearest memories of his first years in New York, in the late 1950s, was spending evenings in a bar where one of the regulars was a faded, middle-aged woman whom he later discovered was the former star Veronica Lake.

That Dunne ever completed the manuscript of *Playland* says much for his tenacity. After a series of false starts he struggled with the storyline before being laid low by a potentially fatal heart condition. Major surgery followed. (It lasted 337 minutes — he knows this because the anaesthetist billed him by the minute.) Then a serious blood

infection, caused by an insect bite, landed him back in hospital. It was while he was incapacitated that he began to impose some order on his material.

As for contemporary Hollywood, he claims to find it "too dull" to be worth writing a novel about. It so happened that the day we met was the day that the Oscar nominations were announced. Dunne, an Academy member himself (as is his wife) pronounced it "not a particularly good year". *Pulp Fiction* is over-rated, *Reservoir Dogs*, he thinks, was a much better film. He did not dislike *Forrest Gump* as much as he had expected, but still found it "a stupid, feel-good movie". The best picture of the year, for his money, was the basketball documentary *Hoop Dreams*.

Real life and rounded characters are, he thinks, more likely to be found in high-quality television series than in the cinema, a medium

dominated more and more by movie brats who lack even a passing acquaintance with the world beyond the screening rooms. Dunne's disdain brings to mind one of Broderick's reflections in *Playland*: "I like writing movies. I am good at it, quick and always in demand. Movies provide me with a good living that I don't actually need."

Given their literary reputations, surely he and Didion are free to turn their back on the studio accountants and the boneheaded producers? He shakes his head: the screenplays that they have written — including the 1976 version of *A Star is Born*, the adaptation of Dunne's own novel *True Confessions* and others which never reached the screen — have all served a larger purpose. Without the royalties and the money from quickie rewrite commissions, they would not have had the means to publish 20-odd books between them.

As for the notion that all good writers are ruined by the studios, he waves it aside. "I've always thought that that was rubbish. The people who went to Hollywood and were ruined forever would have been ruined at 71st Street and Madison, or in Detroit or wherever they happened to be. They were raw material for being ruined."

Playland is published by Granta Books (£14.99)

THEATRE: Touring company presents a dramatic evocation of the life of Dickens's mistress, Ellen Ternan

Truth behind the illusions

Stuffed Shirts and
Marionettes
Warehouse, Croydon

ceased that few facts had emerged before Claire Tomalin wrote *The Invisible Woman* a decade ago, well over a century after Dickens's death. (Ternan lived on until 1913.) It is this very secrecy, and the social necessity for it, that Public Parts set out to convey, and their chosen

method, impressionistic, sardonic, consciously theatrical, enables them to dart swiftly between the public and the private faces of Victorian England, letting light into the murky underworld.

Ternan's family were theatre folk and we are shown more than we need to know about this — everyone gets to play Richard III — before the 18-year-old heroine meets the great man and is whisked away, with mother in tow, to a love-nest. Likewise, so many scenes illustrate the sordid

lives of prostitutes that we are hard put to distinguish Ternan from any old good-time girl.

Set against this, however, is the vivid creation of an altogether artificial society where illusion rules, in the theatre, in fiction and between the sexes. Under Tom Crichtley's direction the company have become a superb team, resourcefully comic in its employment of slapstick and Victorian word-games, bitter one moment, poignant the next. The contradictions of a complicated and sinister world are energetically conjured into being.

JEREMY KINGSTON



Victorian magic: Karen Hayes and Aidan McCann

مكتبة الامم المتحدة

VISUAL ART: A major German figure celebrated; Croydon's new gallery; and Camden's Irish connection

Target practice for a loose cannon

Richard Cork
applauds the Tate
in Liverpool for
mounting the first
British exhibition
of Sigmar Polke's
audacious paintings

Why has Sigmar Polke, regarded by many as the outstanding German painter of today, never been given a retrospective show in Britain before now? Largely, I suspect, because of his reputation as a loose cannon in European art. Over the last 30 years, Polke has made a habit of upsetting every expectation, reveling in blatant inconsistency and an unrepentant display of bad pictorial manners.

He has no time for the patient pursuit of a single, easily identifiable style. Resistant to a chronic extent, Polke has charged through the complex thickets of modernism like a rogue elephant on the rampage. Perhaps the English, saddled with innate reticence, find this unruliness hard to stomach. Even now, with the advent of a major Polke exhibition at the Tate Gallery, Liverpool, there are no plans to bring the show down to London.

It is a pity. For the unpredictable German is quite unlike any other painter working at present. Mad as a hatter, he may be at times bewilderingly diverse. But throughout this turbulent survey he keeps viewers on their toes, and pushes the art of painting in so many directions that the outcome is strangely intoxicating.

Not that the show begins in an exuberant way. The earliest exhibit is a surprisingly small, undemonstrative canvas. It looks, at first, like a Barnett Newman abstraction, with a vertical brown "zip" running down the centre. But then the little keyholes painted at either side of the division become apparent. With the minimum of fuss and the maximum of dry wit, they transform the picture into a representation of two doors. And Polke completes the metamorphosis by calling his quietly subversive picture *Wardrobe*.

Since this painting hangs near a more playful image of sausages, seemingly leaping through space, we are tempted to ally the young Polke with the everyday concerns of Pop Art. He certainly looked on sweets, cakes and dairy products with relish, and filled many of his early canvases with their saccharine, gooey forms. Indeed, he stressed the links between art and consumerism by staging a 1963 show, with his friends Gerhard Richter and Konrad Lueg, in a Düsseldorf furniture store. Their paintings were displayed in various departments, while the artists exhib-



In *Paganini* — one of Sigmar Polke's largest and most disturbing works, painted between 1981 and 1983 — the dying musician seems to usher in the Devil and a dark panorama of engulfing evil

ited themselves in a sitting-room area as "living structures" in armchairs perched on pedestals.

The more we look at Polke's work of the period, though, the less it resembles Warhol or Lichtenstein. He and Richter may have called themselves exponents of Capitalist Realism, but neither artist subscribed wholeheartedly to the tenets of New York Pop. There is nothing flashy about Polke's early work. Although he sometimes adopted the bendy dots of photo-mechanical reproduction, the outcome is far removed from Lichtenstein.

Polke's 1965 *Girlfriends* uses those dots in a highly irregular spirit. He flouts the systematic, deadpan method of Lichtenstein, so that the dots end up scrambling the image rather than ordering it. Polke's anarchic hand can always be detected, making sure that the banal subject-matter never takes too much attention away from the wayward strategies of the artist himself.

He was too idiosyncratic ever to strive for the impersonal finish of Warhol. We soon become aware, at Liverpool, of a fascination with printed fabrics. They are often used instead of canvases, and he is happy to let them play a major part in the completed painting. But he never lets them prevent him from making his own, defiantly quirky contribution as well. In *Woman at a Mirror*, Polke uses an outrageously kitsch leopard-skin fabric as the basis of

the image. On top, though, his deft brush summarises the contours of a female figure culled from advertising graphics. She reinforces the luxurious aura of the leopard-skin and, at the same time, challenges its attempt to dominate our attention.

As Polke's work gathered pace, so he distanced himself from all the avant-garde movements of the day. Minimalism was deflated in an ironic painting called *Carl Andre in Delft*, where the grid of blank squares favoured by Andre's floor sculptures are filled with illusionistic images of blue Delft tiles. Polke further distanced himself from the heroic era of modernism by painting a composite abstraction: half geometric and half splashy, and then inscribing it like a cartoon in a book with the catch-all title *Modern Art*.

Words, in fact, grew into an effective weapon of their own as he intensified his satirical assault. The paint in one 1969 canvas is confined to a black triangle, as clean-cut and flat as an Ellsworth Kelly. But Polke punctures the inherent pretensions by writing near the base: *The Higher Powers Command: Paint the Right Hand Corner Black!* The fact that the words look as if

they have been printed, by an ordinary typewriter, only adds to the mockery. It is a wonderfully impure intrusion, destroying the impeccable authority of the abstract form above. The more Polke undermined the prevailing languages of art, though, the more he ran the risk of becoming incestuous. However these pictures may appear, they seem after a while excessively ingrown.

Clearing the ground can be a very invigorating enterprise, but only if you proceed to build a convincing alternative on the levelled site.

For a while, during the 1970s, Polke was unable to furnish painting with just such a new role. He collaborated heavily, suppressing his own initiative to an alarming extent. Then he concentrated on photography, film and video for the rest of the decade. Hallucinogenic drugs increasingly dictated his interests, and he seemed to have abandoned painting for ever.

With hindsight, though, we can now see how this difficult, uneven period, scarcely represented at Liverpool, served as the springboard for an astonishing renewal. The advent of another decade was heralded by one of his largest and

most impressive paintings: *Paganini*. In one sense, it is an elegiac work. The composer himself occupies the middle of the picture, expiring on his death-bed in faint outlines reminiscent of a 19th-century engraving.

But his hands are still raised, as though waving to the rhythm of the violin played by the Devil crouching on the end of his bed. This horned apparition, freely brushed in near-silhouette, is the most prominent figure. Macabre yet irresistible, he presides over the entire panorama, lending a diabolic energy even to the grinning clown on the far side of this unusually wide composition.

Below the jester, a row of figures recall the people in Polke's work from the early 1960s. They seem absurdly innocent and helpless here, however. For the clown is juggling with skulls which gradually become radioactive and besmudged with swastikas as they tumble from his grasp. Everything in this half of the picture is caught up in a vortex, suggesting that Paganini's death somehow ushered in the engulfing advance of evil.

The mood of this powerful painting is far darker and more agitated than his earlier exhibits. It also begins a decisive shift away from the obsession with consumerism and art-about-art. Now Polke stares deep into history, and is not at all reassured by the forces he discovers there. As if to stress the hazardous,

at times apocalyptic currents at work, he starts using highly volatile and toxic substances that accentuate the paint's instability. And he reminds us, at every turn, of art's capacity to deceive. Diagrammatic projections are set up in *Measuring Clothes*, only to be flouted by the introduction of real shirts and trousers. Wooden stretchers normally hidden from the front of paintings suddenly become visible, as Polke begins to paint on transparent surfaces.

In a monumental recent work called *The Three Lies of Painting* all these strategies come into play, along with his familiar use of fabric and a sense of absurdity akin to Surrealism. Max Ernst seems to be invoked in some paintings, especially when Polke deploys figures based on engravings from the past. Fundamentally, though, he is out on his own. The variety of styles continues to disconcert, just as Polke leaps with dizzying speed from the French Revolution to grumpy news photographs of refugees' camps. The freedom with which he roams through time is as exhilarating as his refusal to cultivate a tight, narrow identity. Now in his mid-fifties, Polke is working with as much zest as ever.

● Sigmar Polke is at the Tate Gallery, Albert Dock, Liverpool 0151-709 3229 until April 17

CORPORATE COLLECTING

ANY art located on an upper floor of Canary Wharf is likely to face stiff daytime competition from the views. John Russell Taylor writes. It is therefore probably just as well that the unveiling of the Credit Suisse London art collection is not taking place in some new gallery, which would be bizarrely located indeed, but in the offices for which the works have been specially designed.

Eight artists were commissioned to make site-specific pieces, and works by six more were acquired with the requirements of the location in view.

The artists commissioned have come up generally with bold, original work, far removed from the usual idea of "corporate art". Tony Cragg, for example, has carved in various fruit woods large fantasy renderings of pens, pencils and an inkwell, which loom in the corners of the Sculpture Room. Sol Lewitt has designed large and bold coloured abstractions for the Thames Room.

Installation artists of international note have been brought in. The Apollo Room is lined with papier mâché masks, musical scores and other materials generally reconciling art and nature, by the French team Anne and Patrick Poirier. The Spanish artist Juan Muñoz has put together a series of miniature wooden rooms inhabited by doll-like lead figures. The staff restaurant has been handed over in its entirety to Bruce McLean, whose lively designs serve as decorative murals and sculptures as well as skilfully articulating the space.

The Credit Suisse London art collection at Canary Wharf may be viewed by special appointment only. Tel 0171 888 8911.

No clear dividing line

Sacha Craddock
on a painter
whose canvases
mix the personal
with the political

Rita Donagh's paintings hover between abstraction and illustration. She is of a generation which insists that painting was never there to describe or narrate alone.

The opening of her semi-retrospective at Camden Arts Centre coincided with the leaking of details of the Anglo-Irish framework document. Although many of Donagh's works are in some way concerned with Northern Ireland — the most notorious are her H block paintings in which the form or shape of an H hovers in illusory space — her treatment of the subject is complex. Donagh's family is from Ireland, but the tendency to equate personal experience with an obvious source of subject matter is too simplistic here. Donagh allows the processes of thought to run parallel with real events, real life and politics.

The earliest work here dates from 1974. Donagh says that her generation was the first to embrace what she calls the "wholly wonderful" possibility of working with figuration and abstraction simultaneously. Her paintings are closely related to her drawings. They range in focus from a crisp graphic clarity through to the blur of non-descriptive colour. Donagh acknowledges that her work has precedents in early Modernism. She found, though, that before used to be fiercely divided: you were either an abstract artist, standing up for what that meant or, conversely, figurative. It was the women's move-



Work in progress: Rita Donagh's painting, *Slade*, 1994

ment that allowed Donagh to overcome these divisions. Students and younger artists encouraged her to incorporate both public and private, decorative and expressive, geometric and descriptive, verbal and silent, serious and playful into her work. Previously, she says, women artists worked under a sort of "counter-pressure", often reacting by throwing themselves into geometry, or a theory or system. The risk was of "losing the part of yourself that has to do with feeling".

It may seem obvious now that the H in a painting such as *Lough Neagh*, 1984, could never be separated in our minds from the vision of the H Block. "What was interesting about that configuration," Donagh says "is that it instantly carried a charged meaning: the hunger-strikes. Looking back at it now, it seems almost melodramatic. Perhaps I was influenced by this awful sense of what might never be resolved. Of terrible consequences."

But at the same time, the painting was also a personal investigation into the way

imagery, symbolic as well as spatial, can be used within a painting. Donagh's method lends itself to such an ambition. The paint is thin, sparse, used purely for its descriptive qualities rather than its volume or texture. Donagh lets space, or at least the illusion of space, create places in which to float visual ideas. She says that she may do more abstract work in the future. She sees abstraction as a way of "not wanting to say anything for a time, a silence".

The situation in Ireland is changing fast. Will that affect the work she makes? Perhaps Donagh will allow that painterly silence to descend. *Slade*, her most recent work, invites a multilayered interpretation. A self-portrait on one side shares the painting surface with an "abstract" motif. It is based on the first day she came to teach at the Slade: she was automatically led to the Life Room, because the only women who worked in the school at the time were models in the life class.

● Rita Donagh is at Camden Arts Centre, Argyll Road, NW3 0171-425 2642 until March 26

THE inauguration of a new arts centre is always good news, especially if it contains an art gallery which is capable of attracting exhibitions of international calibre. The remarkable thing about the new Croydon Clocktower is that not only does it fit these criteria perfectly, but its opening exhibition, *Cock and Bull Stories: A Picasso Bestiary*, was created specially by and for it.

The idea of the show's curator, Neil Cox, is simple enough. Given that animals played such an important and recurring role throughout Picasso's career, would it not be interesting and novel to put together a bestiary along traditional lines using images in two dimensions and three — from the *Head of a Cat* Picasso drew in 1892, at the age of 11, to the mezzotint of a *Man With Two Women and a Dog* he made in 1971, when he turned 90.

Such a project could, of course, be quite humble. There are so many multiples that would fill the bill: prints and ceramics particularly. The closest Picasso himself came to ordering his artistic thoughts in this way was a plan of 1907, never carried further than some slight sketches, to illustrate his friend Apollinaire's book of poems *Le bestiaire corré*

Picasso's entry in zoo's who

John Russell Taylor marvels at the way a new arts centre in Croydon has managed to track down and capture the beasts in a great man

d'Orphée. In 1936 he returned to a similar subject with 32 aquatints he made for a protected edition of Buffon's *Histoire Naturelle*, and these prints alone, in their various states, would make a very respectable exhibition.

At Croydon, however, they provide merely one recurrent strand. Taking its inspiration more specifically from an illuminated Latin Bestiary of the mid-13th century, the show is a multifaceted evocation of Picasso's delight in animals through prints and ceramics, as well as an amazing selection of major paintings and sculptures borrowed from all over Europe.

There are nine phases which flow smoothly into one another with a minimum

amount of print to read on the walls. For those inclined to read there is an admirable book, *A Picasso Bestiary*, by Neil Cox and Deborah Pouncy, which vividly fills in the background of the show from an immense range of parallels and allusions.

For those non-specialists who are more chary of the printed word, there is a brilliantly worked-out interactive computer programme which imparts an amazing amount of information in the form of a near-game that anyone capable of touching a screen can play. Not to mention a wide array of related events in the shape of talks and tours, workshops, music and dance.

The gallery itself is on the entrance floor of the very grand late-Victorian baroque building which used to house Croydon Library (and, in a sense still does, in a new Post-Modern block approached through the old entrance under Braithwaite Hall, the original reference library that is now used as a concert hall).

The temporary exhibition spaces consist of two large interlinked galleries, right next to the new Risco Gallery, a permanent home for the collection of Chinese ceramics left to the municipality by a local inhabitant in 1964, with another temporary exhibition space for related material at its centre. Upstairs there is a new local history museum display, *Lifetimes*, which also boasts, as well as objects lent by hundreds of locals, further interactive computer documentation. But finally, it is the Picasso



Picasso's *Still life with Cat and Lobster* (1962), painted 70 years after the earliest entry in Croydon's show

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Victory fuels hope for Masters

Faldo's gripping revival built on putting prowess

By JOHN HOPKINS, GOLF CORRESPONDENT

THE surprise about Nick Faldo's victory at the Doral Ryder Open in Miami on Sunday was not that he had won on the US PGA Tour because, as the world's No 3 golfer, he is clearly capable of doing that. The surprise was that he had won so soon.

It was only Faldo's fifth event of the year in the United States—he had missed the cut in his previous event—and it came only a couple of months after he had set himself up in a temporary home at Lake Nona, Orlando.

Faldo did that to be near David Leadbetter, his coach, who has a teaching studio at Lake Nona, while making a serious attempt at the American circuit, where he thought the courses would be better prepared than in Europe and the greens more consistent. He did not say as much, but he thought he needed to do something to reinvigorate his career which, in terms of winning major championships, had begun to falter.

Faldo has not won a major championship since the 1992 Open Championship at Muirfield and since then had watched Nick Price nip past him with victories in the 1992 and 1994 US PGA Championships as well as in the thrilling Open last year at Turnberry. Furthermore, Faldo was only too aware that José María Olazábal's success in the Masters and the US Open victory

by Ernie Els meant that a new generation of strong young men who were under 30 had arisen. Faldo, 37, had to do something to put them down.

There is a certain irony in that the first step he has taken towards that aim, a one-stroke win over Peter Jacobsen and Greg Norman, was achieved by good putting, which he holds to be the weakest part of

his game. It was to improve his putting that Faldo went west and it was to improve his putting that he started placing his left hand below his right.

Yet, last week, it was the other end of his game that was weak. He was accurate enough on the putting surfaces to notch up 22 birdies in his four rounds. In the third round on Saturday, his putting had to be seen to be believed. He holed five putts of between 25 and 30 feet and he was moved to remark dryly

afterwards: "It's nice when they go in like that. It will be nice if I can do that two days in a row."

His putting in the fourth round was not of the same order but it was good enough. It was his driving that was wild, never more so than on the 72nd hole, where he hit his tee shot into a lake.

The victory, his first in the US since the 1990 Masters, should give Faldo precisely the sort of boost in confidence he needs with the Masters only five weeks away. It suggests that his game is in better order than it has been at a comparable time of any year recently.

In 1991, for example, bad scheduling as far as the number of tournaments he had entered, and bad weather in those he did play, meant that he went into the Masters with fewer than one dozen competitive rounds in the US behind him. He was palpably rusty and it showed.

"I am very pleased and surprised," Faldo said on Sunday. "This is exactly what I have been working for and now I've done it. I wasn't sure how I was going to get on over here. This has taken a lot of the pressure off me."

So, Faldo has once again proved himself right in determining his course of action. Those who underestimate him or disagree with any action he takes do so at their peril. In matters to do with Nick Faldo,

Nick Faldo generally knows best.

□ The loss of a leading sponsor or a shadow over the annual meeting of the Golf Foundation yesterday, Vauxhall had raised £170,000 for the Foundation in seven years of staging the Golf Club Team Classic, and the Foundation's chairman, Findlay Picken, said its withdrawal "represents a major blow".

He explained: "Unless an early replacement can be found the effect on our income is only too apparent." A surplus of £30,174 from ordinary activities, exceptional income of £82,632 and the abolition of the waiting-list for coaching were among the positive aspects of the year under review. But Picken said: "The continuing underlying financial uncertainties leave no room for complacency."

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Faldo lines up the putt on the last green that secured his triumph in Miami

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Souness to sue over transfer allegations

GRAEME SOUNESS, the former manager of Liverpool, has started a libel action for damages over reports in the Today newspaper about the alleged financial details in the transfer of a Danish international footballer to Anfield (John Goodbody writes). Solicitors for Souness said that the allegations about the deal, involving Torben Piechnik, the former Danish international defender, were "completely untrue".

Today claimed yesterday that Souness was to be interviewed by the police, the Premier League and the Inland Revenue over a missing £300,000 in the transfer of Piechnik from Copenhagen FC in September 1992.

Cardiff City supporters face possible arrest if they turn up for the match tonight with Swansea City, who have banned Cardiff supporters because of fears of violence.

Price repeats success

BOWLS: Lorraine Woodley and Mary Price, of the Desborough club at Maidenhead, won the English women's national indoor pairs championship at Northampton yesterday, beating Mary London and Ann Waters of Angel, Tonbridge, 26-5 (Gordon Allan writes). It is Price's second triumph in three years. In 1993, she won with Ann Erridge, but she resumed her partnership with Woodley, a former national singles champion outdoors, on Erridge's departure to live in Devon. They were too strong and resourceful for the Tonbridge pair, doggedly though London played at lead.

Parore misses century

CRICKET: Adam Parore failed to secure his second Test century of the summer, but his 89 was enough to guide New Zealand past South Africa's first innings total by the end of play yesterday in Auckland. At the close on the third day, New Zealand were 316 for seven, giving them a lead of 22. It was Parore's third Test fifty, following his maiden century against West Indies at Christchurch last month. In the morning session, the New Zealand innings threatened to disintegrate, but Parore pulled things around, figuring in a stand of 82 with his captain, Ken Rutherford.

Wales plan tour

RUGBY LEAGUE: After their victory in the John Smith's European championship, Wales are looking at a short tour of Australia this summer in preparation for the World Cup in England and Wales in October. Mike Nicholas, the Wales manager, said: "We need to sustain the momentum built up. We have now to be treated as a threat in the World Cup, with France and Western Samoa in our group."

Two better than one

CRICKET: Plans were unveiled yesterday for a national club league, starting in 1996, in which teams will play two-day matches rather than the traditional one-day variety. There are expected to be eight regional leagues of 12 teams, with the winners going forward to a national knockout. The competition is modelled on the Australian system under which clubs play grade matches over successive weekends.

Brooking on panel

NATIONAL LOTTERY: Trevor Brooking, the former England footballer, Adrian Moorhouse, the 1988 Olympic 100 metres bronze medalist, and Judy Simpson, the former Commonwealth Games heptathlon gold medal winner, are among the 13 members of the Lottery Awards Panel, which was named yesterday. The panel will allocate a projected £1.6 billion to sport in the next five years.

Aberdeen's relegation fight could cost players dear

By KEVIN MCCARRA

ABERDEEN may be embroiled in a struggle against relegation, but yesterday the players at least demonstrated that they are not mercenaries. A deputation met the caretaker manager, Roy Aitken, at Pittodrie to inform him that the team had decided to forgo all bonuses until the end of the season.

"They want to prove," Aitken said, "that finance does not enter into it. The players realise that, for Aberdeen, everything depends on

preserving our status." According to reports at the weekend, the Aberdeen board had been prepared to pay £5,000 a man if the team avoided relegation. Any such policy, however, would have smacked of rewarding mediocrity. The players' decision to deny themselves any sort of win bonus could greatly reduce their earnings, with losses increasing if victories mount up. The policy may assuage the feelings of supporters because it demonstrates the players share their recognition of the severity of the club's position.

As it is, the squad is prepared to leave it to the board to decide if any payment is due once the season is over. Cynics may be inclined to point out that the players have, in effect, been spurning win bonuses all season. A 2-0 defeat by Celtic on Sunday left them with only six League victories from their 27 matches.

To add to Aitken's problems, Ray McKinnon, the midfield player, will be forced to sit out three of the club's last nine matches after being booked on Sunday for dissent. The yellow

card was his eleventh of the season—he had already served a two-match suspension in October—and took his disciplinary tally above the 16-point threshold. He will be banned for three games from March 19, missing fixtures against Kilmarnock, Rangers and Celtic.

Aberdeen are in second-bottom place and, should they remain there, would have to accept their relegation place with a play-off against the first division runners-up, Falkirk, who are immediately above the Pittodrie club in the table, have a

three-point advantage over Aberdeen and play their game in hand at Motherwell this evening.

Should Patrick Thistle win their next two matches, at home against Dundee United tonight and Aberdeen, themselves, on Saturday, they will push Aitken's team to the very foot of the premiership division. Calculating the permutations, though, would be a waste of the manager's energies. Aitken needs instead to explore the enigma of a reputable squad that has become addicted to mediocrity.

FOR THE RECORD

ATHLETICS

LOS ANGELES MARATHON: 1. R. W. Ed 2:11:59. 2. J. R. Kimmelman (US) 2:11:59. 3. J. R. Kimmelman (US) 2:11:59. 4. J. R. Kimmelman (US) 2:11:59.

BASEBALL

ST. LOUIS: Cardinals 10, Yankees 1. St. Louis 10, Yankees 1. St. Louis 10, Yankees 1. St. Louis 10, Yankees 1.

BASKETBALL

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GOLF

ATLANTA: Nick Faldo vs. Greg Norman. Nick Faldo vs. Greg Norman. Nick Faldo vs. Greg Norman. Nick Faldo vs. Greg Norman.

HOCKEY

ATLANTA: Atlanta Braves vs. New York Yankees. Atlanta Braves vs. New York Yankees. Atlanta Braves vs. New York Yankees. Atlanta Braves vs. New York Yankees.

NETBALL

ATLANTA: Atlanta Braves vs. New York Yankees. Atlanta Braves vs. New York Yankees. Atlanta Braves vs. New York Yankees. Atlanta Braves vs. New York Yankees.

OTHER SPORT

ATLANTA: Atlanta Braves vs. New York Yankees. Atlanta Braves vs. New York Yankees. Atlanta Braves vs. New York Yankees. Atlanta Braves vs. New York Yankees.

BASEBALL

ST. LOUIS: Cardinals 10, Yankees 1. St. Louis 10, Yankees 1. St. Louis 10, Yankees 1. St. Louis 10, Yankees 1.

BASKETBALL

LOS ANGELES: Lakers 101, Celtics 98. Los Angeles 101, Celtics 98. Los Angeles 101, Celtics 98. Los Angeles 101, Celtics 98.

BOXING

ATLANTA: Sugar Ray Leonard vs. Roberto Duran. Sugar Ray Leonard vs. Roberto Duran. Sugar Ray Leonard vs. Roberto Duran. Sugar Ray Leonard vs. Roberto Duran.

CRICKET

NEW ZEALAND: 1st Test vs. South Africa. New Zealand 1st Test vs. South Africa. New Zealand 1st Test vs. South Africa. New Zealand 1st Test vs. South Africa.

CYCLING

TOUR OF MURICA: 1st stage. Tour of Murica 1st stage. Tour of Murica 1st stage. Tour of Murica 1st stage.

FOOTBALL

ATLANTA: Atlanta Braves vs. New York Yankees. Atlanta Braves vs. New York Yankees. Atlanta Braves vs. New York Yankees. Atlanta Braves vs. New York Yankees.

GOLF

ATLANTA: Nick Faldo vs. Greg Norman. Nick Faldo vs. Greg Norman. Nick Faldo vs. Greg Norman. Nick Faldo vs. Greg Norman.

HOCKEY

d game.
v name

But then this, of course, was the man whose previous celebration of Irishness went something along the lines of "Sing out long, sing out loud, we're black and we're proud."

100

8.35 Sandokan (r) (2200674)
7.00 The Big Breakfast (659533)
9.00 You Get Your Life (r) (s) (127396)
9.30 Schools: Eureka! (65304) 9.45 Stop, Look Listen (520553) 10.00 Fourways Farm (1873668) 10.10 Maths Easy (r) (s) (1584) 10.25 Time Capsule (183991) 10.45 Coming Together (467752) 11.00 Science in Focus (4371705) 11.22 Stage One (6591991) 11.38 Schools at Work (5189533) 11.45 First Edition (2043858)
12.00 House To House. Political magazine series chaired by Maya Evans (26200)
12.30 Sesame Street. Entertaining early learning (78533)
1.30 Widgey (r) (s) (35984026)
1.55 Pete Smith Specialties (b/w). Curious Contests takes a look at odd games from around the world, from the use of odd services to soldiers when sent abroad. (77703026)
2.30 FILM: The Moon Is Down (1943, b/w) starring Cedric Hardwicke A Second World War propaganda film about the Norwegian Resistance movement. Directed by Irving Pichel (705587)
4.00 Profiles of Nature: The Grey Scales of Sable Island. A wildlife documentary in which a team of experts from Dalhousie University, Halifax, Nova Scotia, filmed the annual migration of the grey seal from Sable Island, off Nova Scotia (r) (666)
4.30 Countdown. (Teletext) (s) (552)
5.00 The Oprah Winfrey Show The guests are a mix of the new names and old because she thought she was usurping her role (Teletext) (s) (8122113)
5.50 Terrytoons Classic cartoons (667533)
6.00 Babylon 5. American science-fiction adventure series. (Teletext) (s) (2451123)
6.55 Terrytoons featuring Deputy Dawg (467842)
7.00 Channel 4 News (Teletext and weater (715242) 7.55 The Slot (766391)
8.00 Classic Motorcycles. Promoting three of the



1990

Jonathan Meades on fruit and veg (9.30pm)

9.00 [choice] Without Walls: Auto Erotic (3281) 9.30
J'accuse the Vegetarians (52842)

0.00 FILM: Close My Eyes (1990) starring Alan
Rickman, Saskia Reeves and Clive Owen. A drama
about a brother and sister who are drawn to one
another. Directed by Stephen Polaskoff. (Teletext
4553)

2.00 The Obituary Show A mock celebratory obituary
of Sir Jimmy Saville (t) (8017885)

2.35am Football Italia - Mezzanotte. Highlights of
Reggina v Genoa (2397779)

1.35 Blood Sweat and Glory. A history of martial arts (t)
(1223447)

2.05 FILM: Black Eyes (1939, b/w) starring Otto Kruger
and Mary Maguire. A drama set in pre-Revolutionary
Moscow about the head waiter of a fashionable
restaurant. Herbert Brenon directs (4158666). Ends
3.25

SATELLITE

[illegible]

Strike action ruled out

Players seek
pay pledge
from TCCB

BY ALAN LEE, CRICKET CORRESPONDENT

THREATS of militancy are alien to the average county cricketer but this morning the employers must take heed of a new and determined mood. The players are prepared to take action, possibly drastic action, unless they are assured that their lot will be substantially improved in the wake of the sudden wealth acquired by the English game from its £60 million television rights deal.

Every county delegate heading to Lord's for the spring meeting of the Test and County Cricket Board (TCCB), which begins today, has been faxed a copy of a statement from the Cricketers' Association, the players' union, containing an implicit threat of disruption in pursuit of their wage claim.

After their own annual meeting last week, the players express themselves "extremely disappointed" by the board's rejection of a £20,000 minimum for capped players this year. It is reluctantly, perhaps sceptically, acknowledged that money has been allocated elsewhere. Already, however, the players have set their sights on 1996 and their words make it clear that they will not easily be placated a second time.

They have asked the TCCB to guarantee that future agreements "will recognise and take into account the shortfall for 1995". Most significantly, the statement adds: "We would like to receive the TCCB's confirmation of the above and a date for commencement of negotiations for 1996 before the board asks members to sign their declaration for the coming season."

The declaration is not a playing contract, which is the province of each individual county, but an undertaking to abide by the rules and regulations of the board on all matters, including conduct and international availability. Every contracted player must

sign such a form and if the association's 360 members withheld signatures en bloc, the board would be faced with a considerable problem.

David Graveney, the general secretary of the association, is at pains to stress that strike action is not being considered. He also points out that most counties already apply the £20,000 minimum and that the shortfall is therefore small. But by refusing to sign the agreements with the TCCB, the players would be inviting a

Pakistan cricket managers are to address bribery allegations against their captain, Salim Malik, for the first time. The three-member committee supervising cricket affairs since the dissolution of the domestic cricket board last year is scheduled to meet in Lahore today. Heading the agenda will be claims by the Australians, Shane Warne and Tim May, that they were offered bribes during the Tests in Pakistan last year.

confrontation. Technically, the board could rule them all ineligible to play in its competitions, though this would be a crazy counter-productive move.

A quiet challenge to authority is issued in another paragraph of the players' proclamation: "The counties should be mindful of the disservice to the game which would be perpetrated should record profits be announced at the end of 1995 without steps being taken to increase the limited rewards of the players."

The statement will raise hackles at Lord's today, as is its intention. But it is simply a warning shot in what could become a far more serious battle. The board has been either coy or indecisive about

how it will spend its new-found riches. The players are quite right in demanding their share.

Graveney and his executive committee are fully prepared to see county staffs cut to accommodate higher salaries. Indeed, they would welcome it. Their statement, far from focusing entirely on personal gain, also encourages the counties to develop a national coaching structure and to disown the self-interests which are "a continual blight upon our game" by agreeing to the central employment of groundsmen, in pursuit of better four-day pitches. The association has also drawn up its own code of conduct, a welcome initiative.

The players' unrest is likely to deflect some attention from England affairs but the position of the team manager, Keith Fletcher, will be discussed in full when the winter tours are considered. Fletcher has no intention of resigning, with more than two years of his contract to run, and indications are that he will continue in the job at least until the end of the summer.

Some county chairmen have been militating for Fletcher's removal, citing his perceived failure to create a sense of purpose among England players. Raymond Illingworth, the chairman of selectors, has also been conspicuously shy when the need has arisen to support Fletcher.

More is at stake, however, than one man's job. To dismiss Fletcher would cost the board £100,000 and it would be left with the problem of appointing a successor in a role for which candidates and a job description are equally elusive.

The eventual solution may be for Illingworth to run the side full time, with an assistant dealing primarily with test practice and administration. Such a step, however, is highly unlikely to be agreed at Lord's in the next two days.

Graveney's way, page 39

Arrowsmith skates past qualification hurdle



Jenna Arrowsmith came thirteenth out of 18 competitors seeking to qualify for the world figure skating championships at Birmingham yesterday. The British champion will nevertheless compete as the host nation's automatic representative. Reports, page 42. Photograph: Kevin Lamarque

FA blocks Armstrong's path back

BY JOHN GOODBODY

TO THE frustration of his club, Chris Armstrong, the Crystal Palace forward, has been barred by the Football Association from playing for at least another week after being found positive for taking cannabis in an out-of-competition test.

Armstrong will miss both the Coca-Cola Cup semi-final second leg against Liverpool on Wednesday night and the FA Cup Premier League match against Aston Villa on Saturday.

However, if his rehabilitation continues satisfactorily, the FA may allow Armstrong, at 23 one of the most talented young strikers in English football, to play in the Premiership game against Sheffield

Wednesday next Tuesday. This would mean that he had been out of the game for three of four weeks, the normal rehabilitation for anyone taking cannabis.

His absence from the next two games will damage Palace's hopes of reaching the Coca-Cola Cup final and of escaping relegation to the Endleigh Insurance League. He has already missed two matches while he was undergoing treatment. Palace are at present third from bottom of the Premiership.

The FA said yesterday that it could not consider drug-taking "a minor matter". It went on: "Less than a week ago, Crystal Palace agreed to a programme of assessment and counselling for Armstrong. It is less than

two weeks since the player was confirmed as taking marijuana.

"A drugs programme drawn up jointly by the FA and the Professional Footballers' Association (PFA), with professional advice from the Sports Council, cannot be adjusted to meet the understandable desire of any club to play its strongest team in every game."

The FA added that it "deeply regretted" the publicity in recent days and that "confidentiality in medical matters is a universally accepted concept: when it is broken, it is bound to be detrimental to all involved".

Alan Smith, the Palace manager, said: "The whole thing is a storm in a tea-cup. I cannot see what the problem is. This

is so minor, it is ridiculous. He has apologised. We have dealt with the matter internally and now he is fit."

He said that he did not want "the boy destroyed by it. Since the day of the tests there has been a cloud over us all as we waited for it to break."

The PFA has said that there have been nine positive tests since out-of-competition testing began at the start of the season, but they have largely involved mild stimulants in cold cures.

The game has been particularly alert to the problems of drugs ever since Paul Merson, the Arsenal and England forward, admitted in November to taking cocaine. He had to undergo treatment before being allowed to return to the Premiership.

Although marijuana is a recreational, rather than a performance-enhancing, drug, it is still a criminal offence to possess the substance.

Both the FA and the PFA are concerned that many youngsters who earn a lot of money may become the target of pushers. Last season, nine of the 1,300 members of the PFA, aged between 16 and 18, were helped with drug problems.

The International Olympic Committee (IOC) tested for marijuana for the first time at the 1988 Olympic Games, although it took no action over the "very few positives" that were found. The IOC took its action after being asked by several countries to see whether it was a problem among top-class competitors.

Awkward squad ready to trip Cole

BY PETER BALL

MANCHESTER United have not had long to enjoy the Premiership record 9-0 score. Tonight they return to Selhurst Park — the scene against Crystal Palace two months ago of their unhappiest night of the season — this time to meet Wimbledon.

Then, as now, a win would take them to the top of the table, at least for 24 hours, but if the disorder of that night should be avoided, a return to reality with a bump after the euphoria of Saturday's romp seems almost guaranteed, against the other member of the south London awkward squad.

"We cannot stay on cloud nine for long, because you can be sure Wimbledon will

be fired up to bring us down to earth," Alex Ferguson, the Manchester United manager, said. Wimbledon are always at their most dangerous when wounded, and after consecutive home defeats, they are likely to provide testing opposition.

Ferguson was eager to ensure his side did not get carried away, and particularly Andy Cole, whose five goals took his tally to seven in seven games since his £7 million signing from Newcastle. Having defended his record signing against criticism before the weekend, he practised a bit of psychology to ensure Cole keeps his feet on the ground.

"If he had taken all his chances, Andy Cole could be sitting on an amazing total of 14 goals from seven games," Ferguson said. "He missed two against Blackburn,

three at Everton and a couple against Crystal Palace."

The chances against Crystal Palace and Everton were costly, United taking only one point out of six from games they would have expected to win.

"He seems likely to have got his confidence now OK," Ferguson said. "His first reactions, as he showed particularly in the first and last goals, are so quick." □ Eric Cantona was back in training with Manchester United yesterday. Cantona, who trained with the reserves, is expected to help with United's youngsters and assist at their school of excellence during his eight-month ban.

□ Everton are to appeal against the sending off of Duncan Ferguson at Leicester on Saturday.

Christie decides not to run and run

BY DAVID POWELL, ATHLETICS CORRESPONDENT

THE tale of intrigue yesterday was in the best traditions of dear old Agatha. Only this script was the work of another Christie. The one whose legs run and run.

Lindford Christie, who has been appearing for a tenth year as one of the fastest men on Earth, told a German television interviewer on Sunday that he would not be competing in the world indoor championships in Barcelona this week. Eight days earlier, he had told the British media that he would be.

At a press conference last Tuesday, his name was down for the 60 metres when the Great Britain squad was announced. On Saturday he ran one of his fastest indoor 60 metres, 6.49sec. Who could possibly beat him in Barcelona?

The plot thickened on Sunday evening when Ron Roddman, Christie's coach, and Verona Elder, the Great Britain team manager, were asked to clarify Christie's

position in the light of his interview on German television. Both said they were not aware of his intention to withdraw, though Elder did say Christie had been fired.

Tony Ward, the British Athletic Federation spokesman, said yesterday morning that the fog was "making us look slightly ridiculous". Meanwhile, the International Amateur Athletic Federation thought it had fallen into the mousetrap.

Assured by Sandro Giovannelli, the IAAF's competitions director, that Christie was out, Winner was quoted by international news agencies as saying that he was "disappointed, shocked and flabbergasted" at Christie's withdrawal. Winner said on Radio 5 Live's lunchtime news that "one expects a certain moral leadership".

As The Times called, Winner was feeling like a loser. "This is the worst day of my life," he said. "Now Sandro is saying 'wait a minute'; he had

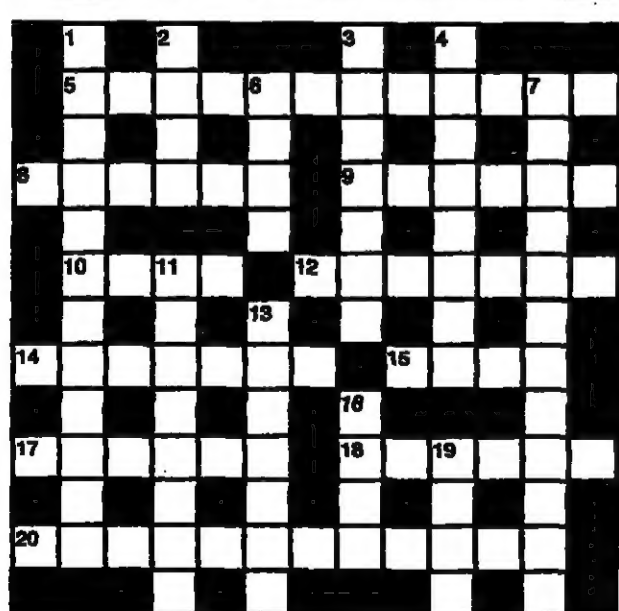
not spoken personally to Lindford. Now I realise it is athletics gossip. I have been caught in a trap which was accidentally set for me."

Or so he thought. An hour later, Winner was back on the attack. The athlete put out a statement confirming his withdrawal. "I am tired," Christie said.

"I think his morale picked



Christie: "I am tired"

TIMES TWO
CROSSWORD

No 413

ACROSS

- 5 Language of William I (6,6)
8 Brief rainfall; sloppy team (6)
9 Hidden, implicit (6)
10 Rectangular courtyard (4)
12 Caretaker (7)
14 Stabbed through (7)
15 Class of words denoting action (4)
17 Folk instrument, box with plucked strings (6)
18 Of physical differences of human groups (6)
20 Hal/Percy/Falstaff play (5,2,4,1)

SOLUTION TO NO 412

- ACROSS: 1 Ticked pink 8 Panel 9 Rat race 10 Dial 11 Farewell 13 Purple 14 Yellow 17 Rapacity 19 Snow 22 Cholera 23 Up-end 24 Greenmantle
DOWN: 1 Trepid 2 Centaur 3 Loll 4 Dorian 5 In the red 6 Knave 7 Mellow 12 Black eye 13 Piracy 15 Lenient 16 Strain 18 Prong 20 Wedge 21 Puma

TIMES PUBLICATIONS: The Times Guide: English Style and Usage (H) £5.99. International Finance, Japan, Nations of the World, Middle East, Good University Guide 1994-5, Single European Markets, 1999 each, Peoples of Europe (H) £16.99. European Parliament - June 1994 (H) £16.99. NEW The Times Guide to the New British State (H) £19.99. The Times Maps: The World (Wall Map laminated) £29.99. £15.99. (boxed) 48 x 30" £39.99. Miscellaneous: The Times Night Sky 1995 £6.50. The Times 1000 1995 (H) £15.99. The Times Concise Atlas of the Bible (H) £13.99 (reduced from £15.99). The Sunday Times Book of Answers £4.50. Book of Brainbusters £3.49. Prices include P&P (UK). Cheques with order payable to Alcan Ltd 51 Manor Lane, London, SE13 5QA. Return delivery. Tel. 081 852 4575 (24hrs) No credit cards.

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